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## Legislative Assembly of Ontario

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## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 30 March 2010

# Journal des débats (Hansard)

Mardi 30 mars 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

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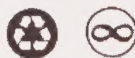
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 30 March 2010

Mardi 30 mars 2010

*The committee met at 0904 in committee room 1.*

## INTENDED APPOINTMENTS

**The Chair (Mr. Ernie Hardeman):** Good morning, and thank you very much, members of the committee, for being here. We are meeting this morning at the Standing Committee on Government Agencies to interview three recommended appointees to the eHealth board of directors.

## MR. JEAN-PIERRE BOISCLAIR

Review of intended appointment, selected by official opposition party: Jean-Pierre Boisclair, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** Our first person to be interviewed is Jean-Pierre Boisclair. Please take the seat at the end of the table.

First of all, thank you very much for coming to speak to us here at the committee. Secondly, we would point out that we will ask you if you would like to make some opening statements, and upon the completion of that, we will have the members of the three parties ask you any questions they feel appropriate to do the interview. There will be 10 minutes for each party, and we will start the questions with the official opposition this morning.

With that, the floor is yours.

**Mr. Jean-Pierre Boisclair:** Thank you, Mr. Chair. It's a privilege to have this opportunity to appear before the committee and to answer your questions. My comments will be brief.

Monsieur le Président, s'il y a des membres qui souhaitent poser leurs questions en français, je suis préparé à répondre dans leur langue maternelle.

My interest and involvement in the governance, accountability and control of governments and government enterprises such as eHealth Ontario goes back over three decades when, as an admittedly much younger financial professional and corporate CEO, I accepted an invitation to participate in a groundbreaking review conducted by the Auditor General of Canada of the financial management and control practices of federal departments and crown corporations. This work resulted in significant change and led to further opportunities, at the federal level and provincially in British Columbia, to do pioneering work and performance reporting and auditing

which, simply put, began to make an all-important and evidence-based connection between effort and cost with outcomes and impact.

As commonsensical as this may sound, this was far from an accepted part of governance and accountability regimes in those days.

Between 1980 and 2002, as president of the Canadian Comprehensive Auditing Foundation, I was fortunate to continue to work in developing practical approaches to meet then-rising expectations for good governance, management and stewardship in the public sector, including its health care institutions.

As chair of the independent panel to modernize comptrollership in the government of Canada, which was a very mini version of a royal commission, I again enjoyed the chance to provide a measure of leadership to advance stewardship at the federal level.

My motivation in wishing to help achieve eHealth Ontario's mission stems directly from my experience as a director and chair of the Ottawa Children's Treatment Centre and, in the last six years, as a governor of the Ottawa Hospital, where I chair the audit committee and serve on the quality and the executive committees. In those roles, I've come to view the successful establishment of e-health records in Ontario as something that is not an option but a necessity to managing health care costs and, importantly, quality to the benefit of all Ontarians.

If eHealth Ontario is to succeed in the mission that has been established for it, it needs strong public trust, including the confidence of this Legislature, for its management and governance, based on solid accomplishment and demonstrated value. Its ability to rebuild trust will depend on how well the management and the board go about their stewardship responsibilities in five respects: first, setting the direction and establishing the means and the pace by which it will accomplish that mission and then meeting agreed performance expectations; second, aligning capacity both within and without the agency to engage its plan successfully; third, understanding and managing its risks and demonstrating that it's making the appropriate choices to achieve the right balance between risk avoidance and risk taking; fourth, ensuring that the organization meets the expectations of its stakeholders and the public for how it goes about its business—the control and ethics issue; and fifth, fulfilling its accountability obligations by demonstrating its progress ob-



jectively, measured in terms of the value of its outcomes and the management of financial and other resources.

I don't for a moment underestimate these challenges, and if appointed to the board, I look forward to bringing my perspective and experience to work in meeting them.

For the record, I would like to also say that if appointed to serve as director of eHealth Ontario, I will immediately resign as a governor of the Ottawa Hospital to avoid any real or perceived conflict of interest.

With that, I invite your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We'll now start the questioning with the official opposition.

**Ms. Lisa MacLeod:** Welcome to the committee, Mr. Boisclair. I must say, of all of the candidates we have seen come to this table in the past few years, none have been as qualified as you. I want to congratulate you on all the work you've done in the city of Ottawa, particularly with the OCTC and the Ottawa Hospital.

0910

I only have a few quick questions for you. I know you're coming to this as a chartered accountant and you've spent some time in the financial sector of hospitals as well. Given the challenges that the auditor identified at eHealth Ontario, what kind of experience do you think you bring to the table? Given the fact that we have called for, in the official opposition—I believe the NDP have agreed with us—that we should have a public inquiry into what happened there, do you have any comments on that? Again, if you had seen any of the abuses that have been alleged and reported at eHealth in the past few years, would you be comfortable coming forward to this Legislature to inform us of those challenges?

**Mr. Jean-Pierre Boisclair:** I have read the Auditor General's report on eHealth Ontario and obviously, his findings are both significant and were responded to in a positive sense by eHealth. I guess what I would bring to it is what I've brought to the other organizations where I've been involved in their governance, and that is a willingness to ask the right questions, to get behind an understanding of the progress that's being made and to keep asking those questions, and a willingness to speak administrative truth to power.

I think personally that that is what governance is all about, and over the years, I've become comfortable doing that, not just in my role as a financial professional, but also in my other roles as chief executive officer of a company in the aerospace industry, where lives depended upon the quality of our product—and things can go wrong—and willingness to bring those situations forward truthfully to customers and the public was essential.

I think the other thing that I would bring is a test, if you will, that goes to substance rather than form. I believe that success in achieving the reforms that are needed goes beyond the process. It has to do with the mindset of management and indeed the board, it has to do with the extent to which these things are inculcated in the

organization at every level, and it has to do with, I think, thinking like a taxpayer. Those are things—

**Ms. Lisa MacLeod:** That's actually very heartening. Thanks for mentioning that. From time to time, we like to hear that. I hate to interrupt, but I know time is short. The Ottawa Hospital has done some groundbreaking work with electronic health records themselves. I've spoken many times with Dr. Jack Kitts, who I notice is one of your referees, in addition to Kay Stanley, who have given me great advice over the years. You're doing great things at the Ottawa Hospital. Are you going to be able to bring that knowledge base to eHealth Ontario so that they can get back on track?

**Mr. Jean-Pierre Boisclair:** I will do my very best to inject that into the conversation.

**Ms. Lisa MacLeod:** Maybe you could let my colleagues who aren't from the city of Ottawa know what you're doing at the Ottawa Hospital.

**Mr. Jean-Pierre Boisclair:** A lot of work and a lot of effort over the last few years, to the point where we do have an internal e-health record, if I can call it that, that I think is relatively sophisticated. At this point in time, any physician walking on to one of our campuses with his or her laptop automatically logs into the system and can actually read diagnostic tests live time on their computer screen. The amount of time and effort and possible error that that prevents can't be described. They have a sophisticated approach to it.

**Ms. Lisa MacLeod:** And I realize that at Queensway Carleton Hospital they can now tap into that, which is fantastic.

**Mr. Jean-Pierre Boisclair:** Indeed. Now, we still have a long way to go, but we've made some considerable progress.

**Ms. Lisa MacLeod:** Well, you're further ahead than eHealth Ontario. I want to congratulate the Ottawa Hospital for everything that they've done. I want to congratulate you, and I wish you the best of luck.

**Mr. Jean-Pierre Boisclair:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The third party?

**M<sup>me</sup> France Gélinas:** Merci, monsieur Boisclair. Vous avez étendu l'invitation pour qu'on vous pose des questions en français. Ça va si on a notre discussion en français?

**M. Jean-Pierre Boisclair:** Absolument.

**M<sup>me</sup> France Gélinas:** Ma première question est un peu du côté personnel. Qu'est-ce qui vous a motivé à vous joindre au Centre de traitement pour enfants d'Ottawa?

**M. Jean-Pierre Boisclair:** Pour être très franc avec vous, un matin, j'étais invité à visiter les lieux et j'ai trouvé, spécialement dans le domaine de l'éducation—le centre a une école pour les enfants—que les travaux que les gens-là faisaient étaient absolument incroyables. J'étais complètement bouleversé par l'effort qui était là-dedans. En même temps, on a trouvé une situation où peut-être le conseil d'administration avait besoin de changer son approche, et on m'a invité à contribuer une



nouvelle approche au conseil d'administration. C'était les deux choses ensemble : le besoin de donner aux enfants une opportunité dans leur vie qui autrement ne serait pas là, et aussi le défi de changer notre approche pour le futur.

**M<sup>me</sup> France Gélinas:** J'ai lu le rapport que vous nous avez soumis. Vous mentionnez que si vous avez la nomination pour Cybersanté, vous allez quitter le conseil d'administration de l'Hôpital d'Ottawa, en partie pour conflit d'intérêts, et en partie par manque de temps. Par contre, vous ne voyez pas le même type de conflit d'intérêts avec le centre de traitement pour enfants?

**M. Jean-Pierre Boisclair:** Non, pas vraiment. C'est à un autre niveau en effet. Je crois que les centres de traitement pour enfants seront peut-être plus loin dans le «spectrum» d'implémentation et pour ça, vraiment, je ne vois pas de conflit. Ils ne travaillent pas grandement dans le domaine et je ne crois pas que ce sera un conflit.

**M<sup>me</sup> France Gélinas:** Est-ce que le Centre de traitement pour enfants d'Ottawa est une institution indépendante? Est-ce qu'ils ont leur propre conseil d'administration?

**M. Jean-Pierre Boisclair:** Oui.

**M<sup>me</sup> France Gélinas:** Ils sont une agence de transfert—

**M. Jean-Pierre Boisclair:** Complètement indépendants.

**M<sup>me</sup> France Gélinas:** Donc, il peut y avoir des liens cliniques avec l'Hôpital d'Ottawa, mais pas de liens administratifs?

**M. Jean-Pierre Boisclair:** Aucun.

**M<sup>me</sup> France Gélinas:** Comme ma collègue Lisa l'a mentionné, Cybersanté a quand même vécu des moments très difficiles. Avec le rapport du vérificateur, beaucoup de cela a été mis au plein jour. Il y a encore des parties que l'on ne connaît pas. Le parti de ma collègue ainsi que le parti néo-démocrate avaient demandé une investigation plus poussée. Le gouvernement a refusé.

Habituellement, les gens qui viennent avec votre type d'engagement—vous entrez quand même dans un organisme qui a un passé peu reluisant. Comment voyez-vous ça avec la carrière très reluisante que vous avez?

**M. Jean-Pierre Boisclair:** C'est ça exactement qui m'intéresse pour faire une contribution à « eHealth »—en effet, d'essayer de contribuer mon expérience, de guider le processus, si vous voulez, parce que pour moi, la gouvernance est pour guider; elle n'est pas pour implémenter—imposer une discipline, imposer une transparence au processus et insister sur les questions d'éthique et de pratique qui vont beaucoup plus loin que mêmes les exigences de la loi.

**M<sup>me</sup> France Gélinas:** Je vous félicite pour ça, et bonne chance.

**M. Jean-Pierre Boisclair:** Merci.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We'll turn it over to the government. Mr. Balkissoon.

**Mr. Bas Balkissoon:** Good morning, Mr. Boisclair. Thank you for coming before committee. I'm happy to

hear that you've read the auditor's report. One of the major criticisms in the auditor's report was that the government has expended a lot of money in building the infrastructure for eHealth, but there's very little traffic on it. Seeing that you said that the Ottawa Hospital has done a lot of work on the internal records—and I believe there are several other hospitals around the province that have done this—how do you see yourself, as a board member, utilizing this infrastructure such that the maintenance costs that we're currently exposed to can be utilized efficiently in the very near future?

I'd just like to hear your ideas on what you would bring to the board to improve this.

0920

**Mr. Jean-Pierre Boisclair:** That's a difficult question. I must say, I don't have intimate knowledge of eHealth Ontario, but if appointed, I'm sure I will come to have that very, very quickly.

It seems to me the essence of the question is a consideration on the part of the board of how eHealth Ontario sees itself into the future. Is it a monolithic, vertical kind of organization that wants to do and manage all aspects of the e-health record on its own, or is it an organization that sees itself bringing together the resources of all the partners in the system, some of which, as you say, have been developed to a point but require further development—in effect, playing the role of an integrator? If I'm appointed to the board, I think as an incoming board member that will be a subject of great curiosity to me and one on which I will certainly be asking questions.

**Mr. Bas Balkissoon:** Would you like to comment on your own opinion as to what you see eHealth being as we move forward?

**Mr. Jean-Pierre Boisclair:** As with most large, complex things that we face out there—and it has been my experience—the first step to efficiently and effectively managing the resources and accomplishing the aim is to build on what is there, to draw others in.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown.

**Mr. Michael A. Brown:** I just want to express our appreciation for you allowing your name to be put forward. Your credentials are significant in all aspects, whether it has to do with the information systems aspect of this—but particularly in the accountability part of this equation. Thank you very much for doing what you're doing for the people of Ontario.

**Mr. Jean-Pierre Boisclair:** Thank you. That's very kind of you.

**The Chair (Mr. Ernie Hardeman):** Mr. Boisclair, that concludes the interview. On behalf of all the committee members, we thank you for taking the time to come in and introduce yourself to us so we can make a recommendation on the appointment.

**Mr. Jean-Pierre Boisclair:** Thank you, Mr. Chair. It's been a pleasure to be here.



## MS. MAUREEN O'NEIL

Review of intended appointment, selected by official opposition party: Maureen O'Neil, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** Our second interview this morning is Maureen O'Neil, intended appointee as member, eHealth Ontario.

Welcome to the committee this morning. As with the previous candidate, we will allow you to make a brief statement, if you wish to make one, and then we will have 10 minutes per party for questions. We will start this round with the member of the third party.

With that, the floor is yours.

**Ms. Maureen O'Neil:** Mr. Chairman and members of the committee, I'm delighted to be here. Thank you for this opportunity to share with you why I am interested in becoming a member of the board of eHealth Ontario. I'll also comment briefly on how my current and previous responsibilities are relevant to this.

First of all, I think that electronic health records are absolutely critical to the improvement of quality, safety and effectiveness of services a patient receives.

I'm strongly committed to contributing to improvement in Ontario's and Canada's health services. I believe that my experience of more than 30 years as a senior public sector manager and also as a chair and member of many boards, including a university board, that have been dedicated either to managing a significant public service or changing public policy, will help make me an alert and constructive member of the eHealth board.

You have my resumé, so I'm not going to go over that. But I will note that when I ran a fairly significant federal crown, the International Development Research Centre, we were congratulated by the Auditor General on how we ran our business. I'm not saying that funding research in developing countries and running eHealth are the same thing, but I'm mentioning it to indicate that as a manager, I was well aware of and took very seriously the importance of accountability for public money.

I'll note that currently I'm president of the Canadian Health Services Research Foundation, which is a not-for-profit organization focused on health service improvements through increasing the use of evidence in policy and management decisions. We have three strategic priorities: engaging and supporting citizens, whether they're governors in the health system, whether they're patients, or whether they're taxpaying political actors; secondly, accelerating evidence-informed change in the institutions which provide health services; and third, promoting policy dialogue in key health issues that face us.

I've chaired a number of boards, including a university board, and I chaired it during a period of some difficulty. During that period of difficulty, the board itself made significant improvements in not only the atmosphere but the leadership of that organization.

I believe I have a good understanding of what the role of a board member is, as opposed to a CEO, and the

importance of the board's responsibility to set strategic directions and act as stewards of the public interest and public resources.

I applied for the eHealth board after I had seen that Ray Hession had been appointed as chair. I called to congratulate him, and he, in turn, asked, "Would you be willing to apply for this position?" I said I would be very interested in it. I had followed the travails of eHealth, and I know how crucial eHealth is to us actually making improvements, as I said, in quality and safety for patients.

I have read the Auditor General's recommendations, and they were extremely important. I will not be able to comment in detail on whether or not I think eHealth is doing the right thing, in the absence of full briefings.

In summary, I believe eHealth must be judged ultimately on the effectiveness of its contribution to improve quality, safety and timeliness of the health services a patient receives. We must always come back to how this is making patients' lives better. I recognize the many other benefits of better data and its analysis and how that could contribute to a well-functioning, affordable health system, but at the end of the day, if the investments that we're making in eHealth don't improve the lives of patients, then we will not have been doing our job—and I hope to contribute to doing that job properly.

Alors, je suis tout à fait prête à recevoir les questions en français aussi.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The third party.

**M<sup>me</sup> France Gélinas:** Bon, bien. Je ne laisse jamais passer des occasions comme ça. Je dois vous dire qu'à Queen's Park je parle français une fois par mois. Ça fait que là, je dois être bonne pour deux mois.

**M<sup>me</sup> Maureen O'Neil:** Alors, c'est deux fois par jour. C'est bien.

**M<sup>me</sup> France Gélinas:** Oui, c'est deux fois par jour ces temps-ci.

J'ai aimé la façon dont vous avez commencé votre présentation. Premièrement, oui, on a reçu votre curriculum vitae. Vous avez ouvert votre présentation en disant que les dossiers informatisés sont vraiment là pour augmenter la qualité, la sécurité et l'amélioration des soins aux patients. Comment est-ce que vous voyez le lien entre un dossier informatisé et la qualité des soins aux patients?

**M<sup>me</sup> Maureen O'Neil:** Malheureusement, au Canada comme dans plusieurs autres pays, le niveau d'événements difficiles dans les hôpitaux est assez élevé. Ça veut dire qu'il y a les médicaments qui sont prescrits qui ne sont pas corrects. Je pense que s'il y a un système informatisé, c'est beaucoup plus facile pour tout le monde dans le système de faire ce qu'il faut faire. Alors, fini avec les petites ordonnances, avec l'écriture de médecin. C'est possible de transmettre l'information correcte tout de suite où il faut le transmettre.

En effet, l'organisation que je préside maintenant vient de publier un énorme livre. Je suis certaine que pas tout le monde va le lire, mais quand même, c'est plein de statistiques sur les différents aspects du système de santé,



y compris le niveau d'informatisation au Canada et dans les différentes provinces. Ça, c'est lié avec les questions de sécurité pour les patients. C'est très clair. Ce n'est pas seulement pour rendre la vie plus facile à un administrateur dans le système; c'est plutôt pour le patient.

0930

**M<sup>me</sup> France Gélinas:** Vous avez mentionné—j'ai oublié le nom de l'agence où vous travailliez, à l'international, qui a reçu des accolades du vérificateur général pour l'imputabilité. Est-ce qu'il y avait des choses qui avaient ressorti par rapport à l'imputabilité qui vous ont valu ces accolades?

**M<sup>me</sup> Maureen O'Neil:** Je crois que le fait qu'on a pris au sérieux le fait qu'il y a une comptabilité au grand public, pas seulement pour l'argent mais aussi pour la façon dont les programmes sont gérés. Je crois que, comme M. Boisclair a dit, c'est un esprit de gestion, un esprit de l'agence. C'est quelque chose où il faut essayer de créer une culture de comptabilité, et aussi, de ne pas oublier quel est le but du travail.

**M<sup>me</sup> France Gélinas:** Je dois dire que pendant le scandale qui s'est passé à Cybersanté, il y avait quand même des gens très compétents qui siégeaient au conseil d'administration qui, comme vous, avaient l'objectif final de nous donner un dossier informatisé. Puis, dans le processus pour se rendre là, ils ont comme perdu—

**M<sup>me</sup> Maureen O'Neil:** Perdu le fil?

**M<sup>me</sup> France Gélinas:** Oui. Ils ont perdu le fil un peu dans le sens qu'il est devenu tellement important d'atteindre le but que peu importait la méthode pour se rendre là. C'est ce qui a créé le scandale à Cybersanté. Vraiment, ils ont fait des choses qu'ils n'auraient jamais dû faire par rapport à des contrats qui ont été donnés, et cetera, mais c'était de bonnes personnes avec de la bonne volonté et de bons objectifs en vue.

**M<sup>me</sup> Maureen O'Neil:** Il est possible qu'ils n'aient pas demandé les bonnes questions. Si on siège à un conseil d'administration, il faut toujours garder en tête pourquoi nous sommes là et quelles sont les questions difficiles. Quelquefois, les gens qui font partie des conseils d'administration pensent qu'ils sont un genre de « booster » de l'agence au lieu d'être un critique. Il faut critiquer d'une façon assez constructive, mais il faut toujours demander les questions difficiles. Je comprends que dans plusieurs agences, il est facile pour les gens qui font partie—parce que si on est gouverneur, on se sent comme faisant partie, mais on ne peut jamais faire tout à fait partie parce qu'on est là pour le grand public de l'Ontario.

**M<sup>me</sup> France Gélinas:** Les responsabilités fiduciaires pour sûr.

**M<sup>me</sup> Maureen O'Neil:** Oui. Exactement.

**M<sup>me</sup> France Gélinas:** Dans un dernier temps, vous avez mentionné que vous connaissez le président, la nouvelle personne qui est en place. Comment bien, et dans quel contexte est-ce que vous vous connaissez?

**M<sup>me</sup> Maureen O'Neil:** Il y a des années, au commencement des années 1980, le gouvernement fédéral

avait un système de comités qui traversait les lignes de la politique. L'Ontario avait fait les expériences avec la même chose, et c'était laissé tomber après, mais on était tous les deux sur ce comité de la politique sociale qui appuyait le comité de la politique sociale du Conseil des ministres. Alors, on était deux des membres de ce comité.

**M<sup>me</sup> France Gélinas:** C'était au début des années 1980 avez-vous dit?

**M<sup>me</sup> Maureen O'Neil:** Oui.

**M<sup>me</sup> France Gélinas:** Je vous remercie.

**M<sup>me</sup> Maureen O'Neil:** Merci.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The government side. Ms. Carroll.

**M<sup>me</sup> Aileen Carroll:** Au début, je voudrais dire que je suis d'accord avec France, que c'est délicieux de commencer notre jour ici à Queen's Park avec, en effet, deux conversations françaises, mais je vais continuer en anglais parce que mes collègues ne parlent pas français.

I would just like to comment on the calibre of both of the candidates. I didn't have the opportunity, Monsieur Boisclair, to say that, so I'll say it jointly: I think it speaks incredibly well of the government that we can draw candidates of your calibre. I'll be quite frank in that Maureen O'Neil and I go back to another place, when I was minister of CIDA and Ms. O'Neil was president of the International Development Research Centre. Again, I can only reiterate that what she brings and will bring to eHealth is an incredible background of experience.

I'd like to think of a question I could ask you, but I can't. When I walked in the room, I thought, "Oh, that is the same Maureen O'Neil. Man, this is incredible. It's wonderful." Then I refreshed myself with your CV, and you, like Monsieur Boisclair, have an incredible mix of government, private sector and not-for-profit, which I think will really assist you as members of eHealth.

If there are any comments you'd like to make, Ms. O'Neil, I will give you that time. Thank you both for continuing to assist us in the public domain. We very much need the experience and wisdom you two will bring to this task.

**Ms. Maureen O'Neil:** Thank you very much. No, I don't have further comments.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown.

**Mr. Michael A. Brown:** Just to reiterate what my colleague just said, we are very pleased to be supporting your nomination and confirming it today. The government supports highly qualified folks like you.

**The Chair (Mr. Ernie Hardeman):** To the official opposition. Mr. Wilson.

**Mr. Jim Wilson:** I'd just reflect what other colleagues around the table have said. I'm somewhat speechless at your over-qualification for this job. Having been a former Minister of Health, I can tell you that you're far more qualified than I ever was to be minister and, I'm sure, far more qualified than any of the current ministers—

*Interjection.*

**Mr. Jim Wilson:** Stop endorsing her, Aileen. I might change my mind.



You said in French, but you didn't get a chance to say in English, why you want to lend your good name to this organization, which has had many perils before it.

**Ms. Maureen O'Neil:** And which has looked like a bit of a quagmire, from the outside at least. Because I think that in Canada our incapacity, on a regular basis, to have well-functioning electronic patient records affects the safety and quality of health care. It also makes it extraordinarily difficult to take what is referred to as a population health approach, meaning that if you don't know the main things that are affecting the health of people in an area, it's extremely difficult to organize services properly.

Also, without electronic health records it's very difficult to manage the performance of the providers of health services within any given system. I think that, on the side of quality, safety and confidence in the health system, electronic health records are really fundamental.

**Mr. Jim Wilson:** This may be a bit of an unfair question, because you probably haven't had an opportunity to be briefed by eHealth—its officials—and the ministry, but I wonder, as a former minister, whether eHealth has enough legislative teeth.

Just a simple example: Whenever IT came in to talk to me—we used to just call it the IT department back in the mid-90s—their great frustration was that you'd meet with all the hospital boards, chairs, presidents and CEOs, and they'd all be telling you about their particular project. Mr. Boisclair referred to the Ottawa Hospital, and I'm sure it works beautifully, and Sunnybrook's internal system works beautifully. Hospitals would spend hundreds of millions of dollars doing their own systems that very often couldn't even talk to the OHIP computer, let alone to each other. So you would try, as minister, to use the only leverage you had, which was funding, to try to get better behaviour.

I'm just wondering if you have any comments or experience on other boards where you've had to take these disparate systems where everyone talks the good talk about all liking to have one but then they go out, get their own vendor and buy their own system for their own hospital or particular health unit. Do you have any comments on that?

**Ms. Maureen O'Neil:** Well, I'd like to go back to something the Auditor General said sort of in general about the Ministry of Health, but you could say it about anywhere else; that is, often the level of understanding within a particular ministry or agency about IT, and let's multiply that by health centres, hospitals etc. out there—they have an insufficient background themselves to really know whether or not what they're being sold by the vendor of a system makes a lot of sense. I think that's one of the reasons these things get out of control.

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But I also think—and I really ought not to speculate on what eHealth ought to do, in advance of a briefing—the whole issue of interoperability and making sure things can be integrated is crucial. Other countries—I was sitting beside the person from New Zealand who had

had responsibility for bringing in their system. Mind you, New Zealand is tiny, but the idea is the same. He said they had not gone about worrying about a big, overall architecture. They had only focused on interoperability and, as it were, rules about interoperability; you could do what you wanted as long as it could talk to the next one. I thought that was quite intriguing. But I haven't had my briefing and, as a former minister, you know that without your briefing you feel lost.

In any case, I think the other thing is that there is now a lot of demand from institutions for help. One has to be very careful, as a member of a board, not to go over the line to what is management's responsibility, but I would imagine, with the enormous difficulties eHealth has been in over the last while, that the staffing situation would not be smooth. So it probably is hard for people from the outside to know whom they're dealing with right now.

I think there is an appetite, in a world where most of the providers of services have at least one computer at home and do their cooking by recipes off the Internet—we're not in the position we were a decade ago on these kinds of questions. I think that there is demand out there for improvements to it. I think this demand is going to grow, over the difficult years leading up to the next round of renegotiation of the Canada health transfer, at a time when there are deficits at both levels of government, and people are going to have to look carefully at how we can maintain a publicly accessible, sustainable health system. I think there's going to be a real desire and a huge pressure coming from outside. It won't be a question of how we can convince them to do these sensible things; it's going to be how we can respond to the demand that is coming. I think your point about interoperability is the key point.

Also, Monsieur Boisclair talked about transparency. I think the other thing that eHealth Ontario is going to have to pay close attention to is understanding, where things are working well—I mean out there, where services are provided—that lots of attention is paid to that, and those experiences are shared, always with the bottom line of how this is making patients' lives better, because it's very easy to get lost in the weeds of IT.

Not to make everybody feel better, but it is true that if we look at a lot of countries when they were bringing in e-health, it was never easy. This has been true in the private sector and in other sectors when they attempted to make really big technological changes. It's not easy, but listen to the people who are going to use it, keep your eye on who is supposed to benefit, constantly ask the question, "Have we got our resources here aligned properly so that those things can be delivered?" and communicate with citizens in the province who by now, not surprisingly, are feeling a little deluded on this score.

**Mr. Jim Wilson:** That's a good point. I truly want eHealth, in some form, to succeed. I think we all do. Obviously you and Mr. Boisclair do, or you wouldn't be putting your good names forward. But the minister only has so much time in a week, and I don't care who the minister is, even if you're a technological genius, you'll



have very little time to deal with this, among all the other crises that happen, particularly in that portfolio. So I was wondering if you had any thoughts about eHealth being governed by another ministry or a separate ministry. It's such a big project.

My response when I was minister when IT used to come in was, "Duck." Whatever they tell you, it's going to be twice as much. If it's \$25 million, it's \$50 million by the time it actually gets implemented. Anyone around you in the political sphere hasn't got a frigging clue how to analyze your work or appreciate it, really, because this stuff is complicated.

We hired the very best, we thought, in Canada. It was the fellow who set up all the ATMs for the Bank of Montreal. He was no further ahead a year and a half or so after I hired him than when he started in trying to get the predecessor to eHealth up and running and getting the framework and hardware in place and stuff like that. I think we've had good people come through the Ontario experience and be completely frustrated.

You just mentioned communications. We don't actually ever hear directly from eHealth. We have to hear it through the ministry. The minister wouldn't have a lot of time to pay attention to this thing or to communicate good news or bad news. Do you have any thoughts about maybe changing the mandate of eHealth in that regard?

**Ms. Maureen O'Neil:** I think the comments you make could be made about many parts of the health system. It is almost half of the provincial government, and the burden on one minister to be accountable for spending half the government's resources, as things stand now, even with the LHINs, is huge.

I can't comment on whether eHealth should have a different mandate or be structured as an agency differently or if the accountability should be different, but I do think it would be worthwhile to understand how a country like, for example, the Netherlands—I know it's tiny and they can all just take a tram and see one another. Nonetheless, on the electronic health records, they seem to have done extremely well. Why was that? Did they abandon trying to have a big overall architecture? Did they do this somehow more organically and worry only about interoperability? I think it would be worth looking at where there have been successes in establishing it and asking how they did it differently from us. Does it turn out that health care is municipal? Sometimes that might look attractive, if you're the Minister of Health. It is in Sweden, for example, but I don't think we're going to be doing that.

*Interjection.*

**Mr. Jim Wilson:** Just download it.

**Ms. Maureen O'Neil:** I think it's important to look at where it has worked and ask how it happened, and then ask those questions.

**Mr. Jim Wilson:** That's refreshing. Just on the political side, though—

**The Chair (Mr. Ernie Hardeman):** That concludes your time.

**Mr. Jim Wilson:** I'll just finish my sentence. Thank you, Mr. Chair. Look at the Netherlands and look at New Zealand and that, but don't travel there.

**The Chair (Mr. Ernie Hardeman):** Thank you.

**Mr. Jim Wilson:** Good luck to you.

**Ms. Maureen O'Neil:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That concludes the interview. We thank you very much, on behalf of all the committee members, first of all, for putting your name forward and, secondly, for coming in and sharing your views with us. We wish you well in your future endeavours.

**Ms. Maureen O'Neil:** Thank you very much.

#### MR. GREG REED

Review of intended appointment, selected by official opposition party: Greg Reed, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** Our third interview this morning is Greg Reed. He is an intended appointee as a member of eHealth Ontario. As you are coming forward, we'd point out that, as with the others, Mr. Reed, we will provide you an opportunity to make a brief statement, if you so wish. We will then have the opportunity for each party to ask you up to 10 minutes of questions to get an insight as to your views on eHealth. At the conclusion of that, obviously, we will end the interview.

Thank you very much for coming in. We will start the questions with the government caucus for this round. With that, Mr. Reed, the floor is yours.

**Mr. Greg Reed:** Thank you very much, Mr. Chairman, and good morning, members of the committee. Thank you for the opportunity to speak with you this morning.

I thought I would limit my opening comments to a brief commentary on two topics which might be helpful to the committee. One would be to very quickly zip through my resumé and talk about aspects of my experience which I think might be relevant to achieving success within eHealth, and the second would be to reflect briefly on the Auditor General's report of October 7 of last year, which I found extraordinarily helpful in preparing for this job and thinking about the challenges ahead.

First, on my background: My undergraduate degree was in computer science, and the first four years of my career were spent as a systems engineer at IBM. This was back in the days when the online banking system for Canada was first being installed, so I had experience at the coal face integrating very large and complicated systems. One of my greatest fears is that some of the code I wrote may still be operating at the core of Canada's major banks. I hope that's not the case—but I was operating at that level.

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I left IBM and had the opportunity to attend Harvard Business School, where I obtained an MBA. Following



that, I joined the international consulting firm McKinsey and Co. in New York, then worked in London in the UK, and eventually based my career in Toronto, but with ongoing travel around the world.

During those 20 years, I had the opportunity to work with literally hundreds of large, complex companies facing large and complex problems and very often with an array of stakeholders. So I've been exposed to a large number of industries and a large number of management settings and cultures. I would hope that that experiential wheelbase will come in handy in this role.

I'd highlight perhaps two or three aspects of that career. In the early portion of my career at McKinsey, I worked very closely with distressed companies, companies that were in trouble, that were about to go into bankruptcy or, in some cases, were in bankruptcy and were trying to get out.

One example I would cite would be Federated Department Stores in the United States, which included Bloomingdale's, Jordan Marsh and a large number of department stores which were in bankruptcy, where a very complex business plan and implementation plan was required for those businesses to get back on their feet, but there was a highly distributed set of stakeholders whose interests were not aligned. Those, of course, were the lenders to the organization, all of whom needed to be convinced that it was worth putting more money into those organizations with the confidence that they could ultimately succeed. I think that was an example of not only working with the internal organization to come up with a plan, but also working with external stakeholders to secure their support.

A portion in the middle of my career was spent working with telecommunications and technology companies very closely. In fact, I was one of the three co-founders of McKinsey's electronic commerce practice in 1994. This was one year before the first Internet browser was available, but we began a research project inside our firm on what the Internet would become, how it would change the operations of major enterprises around the world, and that eventually became a very successful practice at McKinsey, one I co-led for six years.

So I've been in touch with technology and systems throughout my career—most recently, in managing a wealth management firm in a bank. Information technology systems are on the critical path of virtually everything you do, and therefore you need to be coordinating your business plans with what the technology is capable of producing.

On the second topic, just some brief thoughts on the Auditor General's report: I found it very, very helpful, comprehensive and compelling. I agree with its conclusions. As I look through the four recommendations, I find them very helpful and persuasive as well, particularly the first, which says there needs to be a comprehensive long-term strategy for electronic health care in Ontario. I could not agree with that more. I think that much of the confusion regarding what electronic health care is and how the various parties should operate

begins with a lack of an understanding of what the end goal looks like.

Also recommended were a number of governance arrangements to more tightly control eHealth Ontario. I think these are important. In my experience, what the Auditor General has outlined are the best practices one would find in any well-performing company. I've had the opportunity in my career to put in place many of the systems necessary to have organizations operate at that level, so I strongly support those.

I think he correctly points out that there needs to be a project resourcing plan over time. Some of you, earlier this morning, talked about the quality and capacity of the talent at eHealth Ontario. It would not surprise me if this is an organization that has been damaged by the turmoil and management turnover of previous years, so one of the first things I'll need to do is assess that talent and how to upgrade it.

Finally, on procurement: Again, in my experience, if I'm looking for ways of improving a company, the first place to look is procurement. That's the easiest way—ringing the cash register—in terms of eliminating sloppy practices, but in this particular case, making sure that procurement decisions are made in an open, transparent and ethical way. So I would strongly support his recommendations. I think they'll be a great help in guiding me in the early stages of the work.

With that, I'm happy to answer any questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start with the government side. Mr. Brown.

**Mr. Michael A. Brown:** Thank you, Mr. Reed. We are delighted that you have put your name forward today and that you will be the CEO, I guess, of this organization. I understand that your appointment is as a non-voting member of the board.

**Mr. Greg Reed:** No, I believe it says a full member of the board.

**Mr. Michael A. Brown:** A full member of the board? Okay. That's fine too.

You have an extensive background in both financial and computing matters. Do you have any experience particularly in the health care field? Just perhaps expand on that a bit.

**Mr. Greg Reed:** I do not. Of the many industries I've worked in over my career, health care is not one of them. I guess what I would observe is that Chairman Hession has been very careful to assemble a board that has experience in that sector, upon whom I will be reliant. I know I will have a learning curve in health care.

I'd also note that there is no lack of experts around the province in health care and in the IT applications to support it, but what appears to have been missing is strong business leadership to provide an architecture and a sense of coordination across those activities.

I expect it will be a very complicated application suite in support of health care, but, without meaning to minimize the problem in any way, there are many industries that have very complicated application suites



in support of their goals as well. So I'm hopeful that I'll see the pattern matching the way these things work, but we'll need to navigate a learning curve in order to be fully effective.

**Mr. Michael A. Brown:** It seems to me that when we have had the discussion with other nominees to the board about the integration of the various systems that are out there today and how they need to talk to each other and do all those kinds of things—to me, it looks like you've had great experience in those kinds of issues. But it strikes me that in health care, many practitioners would talk about it as an art as well as a science.

I have a friend who is a physician, so I will, at my peril, quote him. He said, "There is a flagpole there and somebody wanted to know how high it was, so he asked a carpenter. He came out and he measured it. He asked an engineer, and he came out and triangulated it. He asked a doctor, and he said, 'Well, I know it's 80 feet because I saw one before.'" The point being that there is a bit of science and a bit of art to this. I think there is also a bit of science and art to putting this monster in one place. Perhaps you could comment on that observation.

**Mr. Greg Reed:** I would agree with that and I would also add that if you ask an accountant, the answer might be, "How high would you like it to be?"

I think your characterization of there being both art and science in complex projects such as these is exactly right. I might observe that I think a great deal of energy has been spent on the science and not as much on the art and the experience.

When I look at the efforts around the province in putting innovative health care systems in hospitals, such as the one that the vice-chair cited, frankly, I regard that with optimism. I know that many of these projects have been undertaken with financial support from the ministry, but I do believe that eHealth Ontario has not been providing intellectual capital or thought leadership.

Unless there is a reference architecture and a set of interoperable standards agreed to by all of the participants in the health care community, and not promulgated just by eHealth Ontario sitting inside a hermetic bubble and thinking grand thoughts—unless we achieve in a collaborative manner that set of interoperable standards, we're not likely to succeed.

I would add that I think part of the art of this is to think past the creation of electronic health records and think about what really matters, which is how to care for patients better. If we think of this in a patient-centric way, we think about all the points of care a patient could encounter, from a home-care practitioner to a family physician to a specialist in a hospital, and ask ourselves, what information do they need? What view of that patient's record and what tools do they need to do their job properly?

If we start from there, it then becomes a little bit more obvious. What applications and tools do we need to put in front of them and in what form does the information need to be stored? In protecting the privacy of patients, what view of that information should they have? I don't

think it's the responsibility of one government agency to dictate that to the sector; it would not be successful. However, I do believe there's a role in providing collaborative leadership, in bringing together the best thinking of all those organizations that have been investing in this and innovating, and finding common ground, so that none of those capital investments are stranded in the future and so that we're leveraging the advances that have been made throughout the sector.

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**The Chair (Mr. Ernie Hardeman):** Thank you very much. The official opposition. Ms. MacLeod.

**Ms. Lisa MacLeod:** Thanks very much. A quick question for you. You mentioned that Mr. Hession assembled the board. Were you recruited, or did you apply for this position?

**Mr. Greg Reed:** I was approached by a search firm to see whether I would be interested.

**Ms. Lisa MacLeod:** By a search firm? Which search firm was it?

**Mr. Greg Reed:** I believe its name is now Odgers Berndtson. The name changed during the time that I was being recruited.

**Ms. Lisa MacLeod:** Given your lack of health care and IT experience, your lack of government and public sector experience, and the fact that you've been a consultant, I just wonder why you decided to apply for this position.

**Mr. Greg Reed:** I left consulting a number of years ago and I've served as a president and CEO of a couple of companies. I think what has attracted me to this role is a combination of two things.

One is the scale of the opportunity, which is enormous. The opportunity to work toward improving the health care of 12 million Ontarians and, conceivably, to bend the cost curve by a magnitude of billions of dollars annually is the sort of opportunity that one rarely has in one's career.

Secondly, I'm at a point in my career where I'm fortunate that I've had a successful career in the private sector, and what matters to me personally right now is that I find a way of deploying whatever experience and talents I've gained in service of an objective that's important, that I'm doing something that matters.

It's frankly the combination of the scale of the opportunity and the scale and complexity of the challenges which makes this an intriguing and attractive role.

**Ms. Lisa MacLeod:** Given the fact that since Sarah Kramer has departed eHealth, the criticism of eHealth to this point in time is that it has been playing musical CEOs, musical chairs—it has been pretty unstable—and given the Auditor General's findings and the challenges that eHealth has, not only in getting an electronic health record up and running, but in restoring public confidence, do you have any comments about that? I am going to throw this on the table: You have spent a lot of time in consulting, and given the fact that we've had so many challenges with the exorbitant fees that consultants have



charged this province at eHealth, what are you going to do to ensure that that doesn't happen?

**Mr. Greg Reed:** That's a very good question. In my experience as a consultant, I found that my most demanding clients were former consultants, and I would expect to be a very demanding client.

I think there's a misconception when hiring consultants or outside third party providers that management's job somehow gets easier, that you've passed the responsibility off to other experts.

In my experience, the exact opposite is true. When you hire consultants and when you hire third party partners, management has to be smarter and better, because that relationship has to be very actively managed. It has to be monitored, the management of the organization needs to remain close-thought partners with the consultant, and the scope of the work needs to be continuously challenged and dynamically re-scoped to make sure that you're continuously getting value for money.

I have used consultants sparingly in my time as a CEO. I have never used my former firm McKinsey for fear of the appearance of a conflict, but in those experiences, I have been a tough and demanding client, and I expect that will be an important attribute in this role as well.

**Ms. Lisa MacLeod:** Just two quick questions, then, as we conclude. I'll ask them together, and then you can have the rest of the time to respond.

In the National Post article dated March 12, 2010, it indicated that your salary will not be disclosed until your hiring is official by a Queen's Park committee. Given that will happen today, will you disclose that to this committee?

Secondly, we in the official opposition, under the leadership of Tim Hudak and the PC caucus, have asked for a public inquiry into eHealth. Would you be comfortable as CEO in taking part in that public inquiry?

**Mr. Greg Reed:** I'll answer the questions in turn. Regarding my salary, I have two core beliefs: One is that in order to regain the public's trust, eHealth Ontario needs to be very open, transparent and accountable. A second belief is that CEOs lead by example. So let's start right here, right now. My salary is \$325,000. I will have a performance bonus that will give me the potential of earning an additional 25%, subject to achieving very specific performance targets, which have been set out by the bank. There was no negotiation on this. This was simply the package that was offered and which I accepted. I realize that's a large sum of money and that I'm going to have to work very hard to earn it on behalf of the people of Ontario.

On your second question—the idea, I believe, is a public inquiry? I believe it's beyond the scope of my responsibilities to determine whether or not that's the appropriate course of action. I will of course be pleased to co-operate with any legislative request for my co-operation or participation, but I feel unqualified to comment on the exact form that should take.

**Ms. Lisa MacLeod:** Just a supplementary, then, to that: In the Auditor General's report—I'm sure you've

read it—there was a suggestion that there was obstruction by the Ministry of Health and some people at eHealth and he wasn't able to get his information timely; it was a criticism that he made. I would just hope that that would not continue, because again, this is a very important body that is responsible to this Legislature to look after our constituents and their health care needs. So there is a real and perceived feeling among Ontarians that there was a lot of waste going on and there was a lot of obstruction.

**Mr. Greg Reed:** Reading the Auditor General's report in detail, my impression is that a great deal of effort and thought has gone into practices and procedures that will prevent that from happening again. Again, I think this is the difference between art and science: Those may be the rules and the procedures, but I think the tone from the top and the culture of the organization are very important as well.

This organization needs to be transparent and accountable. One of the recommendations that I've already made to Chairman Hession is that the internal auditor should not report to me, but should report straight to the board so that the board has constant, open access to compliance within eHealth Ontario and that that chain of command bypasses me so that both the board and the ministry can see right to the bottom of the lake.

**Ms. Lisa MacLeod:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. For the third party, Ms. Gélinas.

**M<sup>me</sup> France Gélinas:** Thank you. It's a pleasure to meet you.

**Mr. Greg Reed:** Thank you.

**M<sup>me</sup> France Gélinas:** I was wondering, could you explain how you see your relationship to the board?

**Mr. Greg Reed:** I'm inclined to think that it's a fairly standard relationship. The configuration of having a president and CEO being the sole management member aboard is very common. I think the reason for that is that it's very efficient for the CEO to understand what the board is thinking at all times and for the board to understand what the CEO is thinking at all times.

While I will leave this to the board chair to decide, again, my experience with boards is that very often, best practice is for boards to go in camera at the end of any meeting, excuse the CEO and have the opportunity to debate matters, including the CEO's performance, without him or her present. I'd be supportive of that as well.

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I would like to have a very collegial and open relationship with the board, simply because there's so much talent on it; it would be a shame not to tap it. But I do realize that there needs to be a division of responsibilities and powers that I will have to respect and that I expect the board chair will enforce.

**M<sup>me</sup> France Gélinas:** All right. You've worked mainly in the private sector. Working with a board for a government agency means that the board sets the governance; they set the long-term strategic direction.



What will happen when your own strategic direction is not the same as the one given to you by the board?

**Mr. Greg Reed:** My understanding, in discussions with the chair, is that the development of a long-term strategic direction will be a combination of the efforts of senior management and the board. Where traditionally the board's role is to advise, to guide, to provide input and to adjudicate and decide upon ideas that management develops, the development of strategy will of necessity be a collaborative exercise. The board will sit in judgment of any strategy that we develop, and I would hope that would be a very interactive process.

If the board and CEO are working well together—certainly it would be my objective to make sure that's happening—we should be working together on a strategy and being mutually supportive in that process.

**M<sup>me</sup> France Gélinas:** When was the first time you met the chair? Did you know Mr. Hession before?

**Mr. Greg Reed:** No, I didn't. After being approached by a search firm, it was suggested that I meet the chair. I believe that would have been his first opportunity to assess me as a prospective candidate.

**M<sup>me</sup> France Gélinas:** How do you see your relationship with the Ministry of Health?

**Mr. Greg Reed:** At the moment, I have none. As I begin the job, subject to the decisions of this committee, two days from now—as a civil servant, my responsibility is to be apolitical and to view as my shareholders the people of Ontario. So it would be my job to report faithfully and accurately to the ministry what I believe, what my conclusions are and what my best guidance is, again supported by consultations with the board.

I believe my responsibility to the ministry is to be a faithful servant, report accurately and understand how the efforts of eHealth Ontario fit with the other initiatives that the ministry has under way.

**M<sup>me</sup> France Gélinas:** You've mentioned that you see bringing a business model to eHealth may help further the long-term goals of bringing in electronic health records. Can you elaborate on this? What do you mean by "bringing a business model to eHealth"?

**Mr. Greg Reed:** I'm not certain I said that, although I might have. I think what I meant was that as my background is principally in the private sector and in running businesses, I'd like to think that what I can contribute, in addition to some facility with developing complex strategic plans and the implementation plans to actually deliver them, is some hard-nosed business judgment.

The art and science of strategy is not just deciding what to do; it's deciding what not to do. It's also deciding who should do it and how.

My sense is that much of the confusion right now relates to technical-level discussions between employees regarding what eHealth records should look like and who's doing what and the kind of technical issues which, in isolation, are very hard to discuss intelligently.

I think a long-term strategy and vision need to be in place, supported by an implementation plan in service of the patients, the people of Ontario. When that's in place,

I think it's much easier to resolve some of these technical-level issues.

I regard that as a disciplined business process, but I'd suggest that it's the path towards making progress in a government agency as well.

**M<sup>me</sup> France Gélinas:** Aside from the technology, what do you make of the fact that there is still a ton of resistance in the field from physicians and other health care professionals to adopting eHealth?

**Mr. Greg Reed:** I think this is a very, very important point. The reality is that if we build an electronic health system in Ontario and we produce tools and information for use by practitioners that they don't like or don't want to use, we will have failed utterly.

The implication of that is that we need to be working very closely very soon—frankly, I hope this work is already under way—with the providers of care and understanding what tools they need, in what form they need to see them, and to have them involved early in the process as those tools are developed, and feel a sense of ownership and investment in what it is we're doing, so that when we reach the point where we're putting information or applications in front of a family physician or a home care worker, they are ready to enthusiastically embrace that tool as something that will help them do their job better. If we don't achieve that, electronic health in the province will not succeed.

**M<sup>me</sup> France Gélinas:** I agree with you. So you see it as the responsibility of your agency to effect this culture shift in the field so that good applications that would improve patient care are actually recognized as such and health care professionals out there are ready to embrace technology?

**Mr. Greg Reed:** I do, with one qualifier: I have much to learn about the activities of the other providers and agencies around the province right now, and I wouldn't want to appear to usurp from them work that they are already doing very well. I do believe that we need an open, collaborative approach that brings the best ideas to the table and where the decision-making process is based not on who's right, but on what's right for the people of Ontario.

**M<sup>me</sup> France Gélinas:** Have you ever had to manage this kind of human resources change, where people who are used to having a lot of power over their work are suddenly told to go on with new information technology?

**Mr. Greg Reed:** Yes, I've had experience in precisely those settings, but I'm not sure this is one of them. Particularly given the amount of investment and innovation in the province on various fronts, I would hope that we don't find ourselves in the situation of going to institutions that have invested in health care technology and somehow determining that they should cease and desist and start doing something else. That would be a great loss of investment and momentum.

What I'm hoping instead is that there's a way of leveraging the good work that's going on—and finding that the professionals in the field will agree that it only makes sense that all of their efforts are interoperable and



that the information can be communicated around a network in service of patients throughout the province in a way that respects patient privacy.

I would be surprised if there are medical practitioners in the province who would disagree that interoperability of patient information provided in a secure and private manner is a bad idea. But once we establish that, we have to find a way of working with them so that we are not, I'm hopeful, asking people to stop what they're doing and do something else, but rather building on what's already in place.

**The Chair (Mr. Ernie Hardeman):** That concludes the time for the interview. Thank you very much, on behalf of the committee, for coming forward and enlightening us on your views. We wish you well in your future endeavours.

**Mr. Greg Reed:** Thank you, Mr. Chairman. It's been my pleasure.

**The Chair (Mr. Ernie Hardeman):** That concludes the interviews this morning.

We'll now proceed with concurrences. The first one is Jean-Pierre Boisclair. Mr. Brown.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Jean-Pierre Boisclair.

**The Chair (Mr. Ernie Hardeman):** Discussion?

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Albanese, Balkissoon, Brown, Carroll, Gélinas, MacLeod, Rinaldi.

**The Chair (Mr. Ernie Hardeman):** It's unanimous. Thank you very much. The motion is carried.

Next is concurrence in the appointment of Maureen O'Neil, intended appointee as a member of the board of eHealth Ontario.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Maureen O'Neil to the board of eHealth.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Any discussion? If not—

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Albanese, Balkissoon, Brown, Carroll, Gélinas, MacLeod, Rinaldi.

**The Chair (Mr. Ernie Hardeman):** I declare the motion carried.

We will consider concurrence in the appointment of Greg Reed.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Greg Reed to the board of eHealth.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Mr. Michael A. Brown:** Recorded vote.

**M<sup>me</sup> France Gélinas:** Mr. Chair, I forget how you ask this—I used to be on this committee; I'm not anymore—the phrase I'm supposed to use so that I can have a little bit more time to review.

**Ms. Lisa MacLeod:** Request a deferral.

**M<sup>me</sup> France Gélinas:** Can I request a deferral?

**The Chair (Mr. Ernie Hardeman):** Before you request a deferral, I would point out, if I might, that the referral would fall next week. It cannot be beyond a week, and we are not here next week. So the committee would have to sit next week to vote on the deferral. If we don't sit next week, the deferral would mean that we would not be voting on the issue at all.

**Ms. Lisa MacLeod:** Mr. Chair, if I may? Given the fact that we've just appointed the CEO of a major government agency, I'd like to back up the request of the third party. We'll be back here in the middle of April—April 13—to do some intended appointees. Why can't we do the concurrence that way? I'd ask my colleagues across the way if they would endorse the suggestion by my colleague from Nickel Belt and allow this.

**The Chair (Mr. Ernie Hardeman):** It would require changing the standing orders. The standing orders are that the maximum deferral can be one week.

**Ms. Lisa MacLeod:** Okay, so her request for a deferral has been denied.

**Mr. Michael A. Brown:** Mr. Chair, the standing orders are clear. You have no option but to abide by the standing orders. If the opposition would like to vote, it has to be now; otherwise, the appointment is concurred in.

**The Chair (Mr. Ernie Hardeman):** I was just pointing out that the standing orders are clear that we cannot defer it more than one week. And I would point out—I suppose that is the part I should have done—that it would automatically pass, then, because we will not be here a week from today. The question is, do you still want to defer it and not vote at all?

**M<sup>me</sup> France Gélinas:** I hadn't thought of that.

**Mr. Michael A. Brown:** I would assume that means you're in favour, if you do that.

**M<sup>me</sup> France Gélinas:** So if I ask for a deferral, we don't get to vote at all. Okay. I will ask for a deferral.

**The Chair (Mr. Ernie Hardeman):** We have a deferral on the vote for concurrence on that. That concludes our business of intended appointees.

Is there any other business for the committee?

If not, the next committee meeting will be at 9 a.m. on April 13, 2010, when we will review intended appointees and undertake report writing for the Ontario Municipal Board. For those who want to, study up the report on the Ontario Municipal Board.

That concludes the business of the committee. We thank you all for your participation, and we look forward to seeing you on April 13.

*The committee adjourned at 1024.*







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Second Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**  
Deuxième session, 39<sup>e</sup> législature

# **Official Report of Debates (Hansard)**

**Tuesday 13 April 2010**

# **Journal des débats (Hansard)**

**Mardi 13 avril 2010**

**Standing Committee on  
Government Agencies**

**Intended appointments**

**Comité permanent des  
organismes gouvernementaux**

**Nominations prévues**



Chair: Ernie Hardeman  
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Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 13 April 2010

Mardi 13 avril 2010

*The committee met at 0905 in committee room 1.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr. Ernie Hardeman):** I call the meeting to order for April 13, the Standing Committee on Government Agencies meeting this morning. First of all, we thank you for being here.

Our first order of business this morning is to deal with the subcommittee report of April 1. A motion to accept the report of April 1?

**Mr. Michael A. Brown:** I so move, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** Any discussion? If not, all those in favour? Opposed? The motion is carried.

The second is the subcommittee report for April 8. A motion to deal with it? Mr. Brown?

**Mr. Michael A. Brown:** I so move, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** We've heard the motion. Any discussion on the April 8 report of the subcommittee? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MS. FAY BOOKER

Review of intended appointment, selected by official opposition party: Fay Booker, intended appointee as member and chair, Niagara Parks Commission.

**The Chair (Mr. Ernie Hardeman):** Now we'll proceed with the appointment reviews this morning. Our first interview today is with Fay Booker, intended appointee as member and chair, Niagara Parks Commission. Ms. Booker, if you would come forward and take a seat there. First of all, thank you for coming in and offering your services and coming in for the interview this morning. We will start the process with you, giving you the opportunity to make a short statement and to explain a little bit about yourself and your reason for the appointment. Then, each party will have an opportunity to ask you some questions to find out a little bit more about you. This time, we will start the questions with the official opposition. It will be 10 minutes for each party to relay their questions.

With that, I'll turn the meeting over to you to make your presentation.

**Ms. Fay Booker:** Thank you, Mr. Chair. Good morning to the members of the committee. I would like to begin by saying that I am pleased to be considered for appointment as chair of the Niagara Parks Commission. I believe you've been provided with my CV that provides an outline of my professional background. I would just like to add a little bit to that.

I was born and raised in the rural area of Haldimand county, which is on the shores of Lake Erie and is a neighbouring community to Niagara region. I remember the Niagara Parks Commission from my early days as a child, as that was our main destination of vacation as I was growing up. For a couple of years, when I was articling in the accounting profession, I actually worked and lived in St. Catharines and got to enjoy being part of the Niagara region at that time as well.

After I graduated from university, I did move to Toronto. I did spend a lot of time in Toronto, and that's where a lot of my professional background does come from. But, fortunately, I was able to move closer to the Niagara region a number of years ago and actually now reside in Burlington.

You will see in my CV that my professional background does include a progressive career in the audit and accounting profession, and I was admitted into partnership with the firm of Deloitte. I did wish to extend and expand my horizons, so I moved out of the accounting and auditing profession and moved into the financial services sector and worked as a leader in an internal audit practice for a couple of our major financial institutions.

I then left banking and returned to the accounting profession, but on the consulting side, with a specific focus on the governance area. It was at this time that we saw new regulations being introduced with respect to governance in trying to improve the governance of organizations in North America.

Since 2005, I have actually been leading my own consulting firm, with a specific focus on corporate governance and enterprise risk management.

So I do bring to your consideration 25 years of experience that has covered finance, governance, accountability and enterprise risk management. I've consulted with organizations in various sectors: industry, of course, as well as crown corporations, community and cooperatives. I've worked in facilitating them in finding solutions to maximize their accountability to their stakeholders and their returns.



A few years ago, I decided to actually expand my knowledge base yet again. I was looking for a way to gain a better understanding of governance in government. I did spend some time in finding ways to participate in the political process, so you are aware that I've made donations to political parties. Actually, for four months, I served as the treasurer for the Burlington Federal Liberal Association to see what that involved in terms of accountability.

I currently chair the political action committee for the Burlington Chamber of Commerce, and I also sit as a member of the advisory committee for the councillor for ward 2 in Burlington.

My family, to this day, enjoys the Niagara Parks Commission. We enjoy the many offerings that the Niagara Parks Commission provides to us. The visitors who we have entertained and hosted both locally within the province, across Canada, as well as internationally, have enjoyed their visits to Niagara Falls, with us hosting and enjoying the picnic areas, the historic sites and all that the parks have to offer.

So I would be proud to serve the province as chair of the Niagara Parks Commission. It is a jewel for the citizens of the province, and I would like to contribute to tending that jewel with the degree of respect and integrity it deserves. Thank you, Mr. Chair.

0910

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start with Ms. MacLeod.

**Ms. Lisa MacLeod:** Welcome, Ms. Booker. I know that many people in Niagara region are asking why the McGuinty Liberals chose someone from outside the region for chair of this commission. I would like to know why you think the Liberals believe there's no one capable in Niagara to do this job. Do you agree with them on that?

**Ms. Fay Booker:** I believe we have great people in this province, and I understand that there has been a focus on looking for competency-based boards and bringing competencies to boards to enable them in doing good governance for the organization. I applied for the position based on what I believe I brought to the government, to the Niagara Parks Commission, to help it as it moves forward. I hope I was considered based on that merit.

**Ms. Lisa MacLeod:** Your appointment, as you know, has caused a bit of public outcry in Niagara. We have heard not only from the media, but also several people have emailed the official opposition. As you know, our leader, Tim Hudak, is from the Niagara region. I'd like to read an email from a resident in Niagara Falls who asked that I pose this question to you:

"On becoming a member of this board, a commissioner gains access to several 'perks.' The main one that I believe has been of the highest interest to those members new to the commission is free golf. In my opinion, this has led to the appointment of commissioners who are not interested in the operation of the park but

only interested in the free golf. Do you believe that having a smoothly operating Niagara Parks Commission under your leadership would be reward enough for your services or that being a commissioner should entitle you to other perks?"

**Ms. Fay Booker:** It's a great question. I would also like to respond, as well, that I have received a number of emails from residents of Niagara very pleased to have seen my nomination. With respect to "perks," as it's been termed, I think that this is not about perks. In fact, I wasn't quite aware that golf was such a big piece of the area of attention for the Niagara Parks Commission. I know Niagara Parks as the parks, the falls and the historic pieces that they are attending to. That, to me, is the priority.

I do play golf. I am a member of a golf club in Hamilton. That is where my husband and I spend time playing golf. I do not see it being a requirement of being a good commissioner, to be participating in the golf courses as a prime consideration.

**Ms. Lisa MacLeod:** Still with accountability: The Globe and Mail on December 26, 2009, noted "widespread problems at the parks commission, including undocumented decisions, missing records, breaches of its code of conduct by commissioners and a general lack of transparency." I've got a couple questions for you.

Do you agree with the KPMG recommendation for commissioners to make your expenses public?

According to the KPMG audit, "The effectiveness of the board has been significantly impacted by politics, external influences and style differences." Do you believe this will continue under your watch as a commissioner, given your extensive Liberal ties?

**Ms. Fay Booker:** The first question being with respect to expenses, I am on record for making expenses publicly available. When I was chair of the hospital board, my expenses, as little as they were, were submitted to the audit committee for review by the audit committee, the auditors and the rest of the board, and would be available to anyone who asked for those.

With respect to my other view on expenses, in fact, I have made recommendations with respect to openness and transparency around expenses. I do believe that is something that should be made open and available, so I do not have a problem at all with submitting that. I understand that the commission has made their board meetings open as of January 2010, so the expenses can be provided as part of that open process.

With respect to the KPMG report, I'm not privy to all the details that KPMG had access to in formulating their view, but, yes, what they reported was with respect to influence and political interests and different style.

I think the different style is an interesting one. I think boards need to spend time working together as a team and learning what it is and how they should provide their governance in the best interest of the organization and the manner in which they can do that in the best interest of the organization. It was unclear to me by "style" whether they mean individual commissioners, but if that is what it



is, I think the commissioners need to have a discussion around “How do we effect good governance?” and “What are the behavioural aspects that go along with that?” It’s both process and behaviours, so we would need to have a discussion about that and be conducting ourselves in a manner that is appropriate to the commission.

**Ms. Lisa MacLeod:** Just one final question, and it’s with regard to accountability as well.

During the time that you were a partner at Grant Thornton, your company received \$50,000 in untendered contracts from the North West and North East LHINs. During your time as a partner at Deloitte and Touche, your company received untendered contracts from the Waterloo and Toronto LHINs, totalling \$272,000.

Given your series of contributions to the Liberal Party dating back to 2004, do you not think that this is a bit of a blight in terms of accountability and your new post, given the fact that you’re not even from the Niagara region—that people may have a perception that all things are not copacetic?

**Ms. Fay Booker:** Deloitte would not have received that untendered contract during my tenure because the LHINs were not in existence when I left the firm at Deloitte, so I’m not privy to that. With respect to Grant Thornton receiving untendered contracts, I’m not privy to those either. I left the firm in 2004. I’m not sure when those contracts were given.

I know that in all the work that I have done, I have provided proposals and have gone through a proposal process. It has always been transparent to me.

One of the pillars that we talk about—why I have my own consulting firm is so that I can promote good governance in the way I see it. Transparency and accountability, particularly in the public sector, are key to that.

When you look at accountability and transparency for the Niagara Parks Commission, I think one of the questions that I would have is—when I review the website and look for information on the performance of the Niagara Parks Commission, the most recent information is from 2006. I think there needs to be some review done about providing more current, transparent and timely information.

**Ms. Lisa MacLeod:** Okay, thanks. Mr. Chair, I do have a request. I have another appointment, and I would like to vote on this. I’m requesting at this point in time, when it goes to concurrence, a deferral until next week.

**The Chair (Mr. Ernie Hardeman):** Yes.

**Mr. Michael A. Brown:** Is that in order?

**The Chair (Mr. Ernie Hardeman):** Yes.

The third party: Mr. Hampton.

**Mr. Howard Hampton:** I have only a couple of questions. You’ve applied for a position on this commission, and this commission has some problems. Those problems have been discussed here at Queen’s Park. They’ve been the subject of review and work by the Integrity Commissioner, and God knows they’ve been in the media. You must have done some preparatory work.

What do you think the problem is with the Niagara Parks Commission?

**Ms. Fay Booker:** I do think there are some challenges that the Niagara Parks Commission faces. There certainly is a question around integrity at the Niagara Parks Commission because of the information that has been available in the public domain about how certain transactions have been handled.

I think it is important to look at the processes to see how the processes are being handled. Are they being handled in the most appropriate way, given that the public is of interest in what the Niagara Parks Commission is contributing to the province? There have been some issues around transactions handling.

I think the other challenge right now, when you look at the financial results, is that there has been a decline in the financial results, and that is another area that needs some review in terms of why there are some negative trends that are apparent there.

I think that one of the important objectives that I would have is to bring integrity back to the Niagara Parks Commission, to look at what the processes are that have been drawn into question and how we go about enacting processes that are appropriate for the scrutiny that should be brought to bear.

**Mr. Howard Hampton:** One of the issues—and Ms. MacLeod brought this up—that has, I think, dogged not only this organization but other government organizations is this penchant to award untendered contracts or, if not untendered contracts, to seek sole providers to the exclusion of other potential providers. How do you clean that up?

**Ms. Fay Booker:** I think one of the things to look at, first of all, is what framework has the board established around the policy for doing tendering? Has the commission set a clear-cut policy that the commission will tender contracts, whether those are revenue-generating or procurement contracts? So there should be a clear statement that we are going to tender contracts to gain the best advantage of the use of the funds from the Niagara Parks Commission. Are we truly going to be getting value for money?

0920

**Mr. Howard Hampton:** So in your mind—and to be fair, this has generated a fair amount of controversy in and around Niagara Falls and the Niagara peninsula—is the government not able to find anybody competent in the Niagara Falls or Niagara region to do this job?

**Ms. Fay Booker:** The way I look at it, the Niagara Parks Commission is a provincial asset. When you look at the history of the commissioners, there have been commissioners over the years who have not been from Niagara region. I do value the Niagara region, as a citizen of this province; I do value the Niagara Parks Commission, as someone who has benefited from all that Niagara parks offer to us, whether it’s a butterfly conservatory, the parks or historic sites. So I’m not sure that I am not qualified. I believe I bring the competencies that



are needed. I believe I bring the objectivity that's needed to do the job that the province needs to be done.

**Mr. Howard Hampton:** My question again: Do you believe there's nobody within the Niagara region who is competent to do this?

**Ms. Fay Booker:** I believe there was a posting. The position was well-known in the Niagara region, and that it was being posted. There was a process to go through, through the secretariat, which is the process that I went through. Someone from the Niagara region actually approached me to submit my application. So I thought it was quite a compliment that I would be approached by someone from the Niagara region to make sure that I applied, because he believed that I brought the skills and experience that was necessary.

**Mr. Howard Hampton:** Do you mind if I ask who approached you?

**Ms. Fay Booker:** It's an individual by the name of Doug Niven. He lives in the Niagara region and works in Burlington. He has seen my expertise and experience and skills on a board where he is a staff member. I'm on the board of that organization. He approached me and said, "You know, based on my observations of your ability, I really believe you should apply for this position that's available at the Niagara Parks Commission." He is a resident of Niagara.

**Mr. Howard Hampton:** No more questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Government side: Ms. Carroll.

**Ms. M. Aileen Carroll:** I'm just a little perplexed myself. From my perspective, I don't know why it would matter where you come from. It's obviously an issue for the third party, but for me, the government is looking for the very best person that they can find. A process was put in place and you were selected. But maybe I don't get it. I'm from Halifax and I'm an Ontario member of provincial Parliament. I'm sure glad that there wasn't a rule against that.

I think your background in governance is very important. Certainly, the matter of free golf has caught the media's attention for years. I don't like golf, so I never thought this was the major issue, but it seems to have indeed gotten a lot of attention.

You have addressed partly—and you may wish to address further—the matter of perks, and I'll leave that to you to do. My one question: Having been involved as well with many boards on the governance side, my issue or concern has been a need for renewal. Therefore, I think it's important in either the jobs we do or the job you may do, which is to address term of office. That was something, quite frankly, that as a minister I felt was important and was very involved in doing. So I would ask you just to enlighten us with your views on that matter.

**Ms. Fay Booker:** There are a couple of things that we have to take into account with respect to governance. When we look at governance, what we believe is very important is that a board be competent in fulfilling the duty that it has been charged with. What we look for is a

combination of process and people. With respect to the people on the board, what we're looking for is skills, experience and diversity, with diversity on three levels: diversity with respect to ethnicity, based on the organization that's being a steward; diversity with respect to geography, to bring views in terms of what might be appropriate elsewhere; and diversity of thinking. Diversity of thinking is enriched when you have and bring together people who come from different walks and different perspectives. That is what will provide the richness of the dialogue around the board table.

You should actually be looking for that different dimension that's being brought, and I believe that having someone who is knowledgeable and who is still understanding and appreciative of what Niagara Parks brings to the province—where the person lives is not the prime determinant; it is more about what they bring in terms of talent.

With respect to tenure, I agree: One of the things that is important is that you balance the continuity of your board members with board renewal. You would not want to see an entire turnover of your board, but you should have a balance of some of the board members turning over while you maintain continuity of some. That provides for effectiveness in your board so that you have some corporate memory in terms of why the board has put certain motions in place or certain policies in place, but at the same time, you bring new thoughts to bear on whether those policies and processes are appropriate going forward.

Your question around perks: I have never been one to take advantage of perks. That's not what I am about. I am here to do as I was raised to do on the farm, which is a good job. You're given a job to do and it's your responsibility to fill that job. It is not about the pastime.

**The Chair (Mr. Ernie Hardeman):** Ms. Cansfield.

**Mrs. Donna H. Cansfield:** I just have one question. I think everybody here around the table has acknowledged that there are some challenges with the commission and its process about openness, transparency, accountability and whatever. One of KPMG's suggestions is that there be an annual board evaluation by a third party on accountability, presumably, and transparency. I was curious as to how you might undertake both that annual approach for third party evaluations, but also an internal evaluation around a summative, formative process, whereby you sit down with board members and say, "You haven't been doing your job. It's not working"—because "style difference" has been identified as a real challenge. So you could change processes from here to tomorrow, but unless you deal with that human issue, it's not going—so I'm just curious as to your approach.

**Ms. Fay Booker:** Yes, and I do go in and do governance reviews as an external assessor.

One of the style differences can be a result of not having an agreed-upon job description. What is the position description of the board first, and is it the job that the organization requires? Because the board is there to serve the organization; the organization is not there to serve the



board. Looking at the organization and then looking at the terms of reference for the board, do the terms of reference cover the right expectations of the board?

Then, is there a job description for a director? That's a missing piece that we often see. We're not articulating what the job of a director is. Once you have that job description for a director, you can now hold someone accountable to performing that job. The absence of a job description allows different styles, different thoughts to come in terms of what the job entails. Without a job description, people will create what that is. So what I would look for first is, have we got the appropriate terms of reference for the board; and then, do we have the right job description for a director? Do we have the appropriate job description for the chair of the board? Do we have the right board committees? And do we have the right terms of reference for the board committees—all for the purpose of bringing that accountability and serving the organization.

**Mrs. Donna H. Cansfield:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** That concludes the time for the questions. Thank you very much for coming forward this morning and for enlightening us on your appointment. We wish you well.

**Ms. Fay Booker:** Thank you, Mr. Chair.

0930

#### DR. COLIN GERMOND

Review of intended appointment, selected by official opposition party: Colin Germond, intended appointee as member, North East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our second interview is with Dr. Colin Germond, the intended appointee as a member of the North East Local Health Integration Network. Dr. Germond, come forward. First of all, thank you very much for coming in this morning for this interview. As we did with the previous attendee, we will provide you with an opportunity to make an opening statement, if you wish to do that. We will then have 10 minutes for each party to ask you any questions they may have from your presentation—we will be starting this round with the third party.

With that, we'll turn the floor over to you to make your presentation.

**Dr. Colin Germond:** Thank you very much, Mr. Chairman, and thank you to the members of the committee for the opportunity to present myself here.

As you see from my application, I'm a medical oncologist by training. I moved to Sudbury and began working there in 1989. The following year, I was asked to become acting head of the department of medical oncology, and the year after that, I was appointed as head and remained in that position for the remainder of my career.

At the time I started, the head of medical oncology had responsibility for the budget for the systemic therapy program. Eventually that responsibility was transferred to administrators, which was a considerable relief to us. I

continued to have responsibility for supervision of the physicians, particularly the quality of care that was delivered, as well as for planning for the delivery of care to the region.

Now, the cancer centre has always had a regional mandate, and the region in question was the entire northeast Ontario with the exception of Algoma, which had its own cancer program, and the James Bay coast, which referred to Kingston.

Our mantra was to try to deliver care as close to home as possible, and so one of the factors in health care that I'm very familiar with is the challenge of delivering care to a relatively small population scattered over a very large area. I think that experience is probably generalizable to other areas of health care, and I hope it is something that will be of use to the board.

Over the years, I have learned other things. First of all, from managing a group of physicians, I think I have been able to refine my negotiating skills, particularly the gentle art of compromise; it's a bit like herding cats, in a way. The other thing I have learned as a practising oncologist is the ability to explain relatively complicated subjects so that people can understand relatively easily. Again, I hope those are skills that will be of value to the board.

I want to say just a word about why I sought this appointment. I had been very involved as a volunteer when I was a medical student in South Africa. I have not been very involved in community activity in Canada, and when I quit working last year, I was very conscious of the fact that I had enjoyed a very good life in Sudbury and felt that perhaps I had not given enough back to the community. So, when a friend asked me to consider putting my name forward for this board, I thought this was an opportunity to give back to the community using the skills I believe I have. That is why I applied, and that's why I'm here before you today.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As I said earlier, we will start with Mr. Hampton.

**Mr. Howard Hampton:** There's been a lot of controversy about LHINs. Whether you're part of the North West LHIN or the North East LHIN or the Niagara region LHIN, there's been a fair bit of controversy about LHINs and the work they do etc.

You're a medical specialist. How do you feel your knowledge, your work, your experience as a medical specialist will make a difference in terms of the decisions and operations of the LHINs; specifically, the North East LHIN?

**Dr. Colin Germond:** Well, the one thing that I learned that I think will be of value is the challenges of this vast area that the North East LHIN is responsible for and the challenge of not having sufficient population in many areas to support the kind of infrastructure that's necessary. It seems to me that many of the challenges that we're facing in the northeast—for example, the problem with the ALC occupancy of the Sudbury Regional Hospital are a result of not having the infrastructure to



allow those patients to be absorbed into the community. I think that's the kind of problem that one sees in many areas.

A small population doesn't allow for the same degree of infrastructure that you have when you have a denser population. We were very conscious of that because of our attempt to provide chemotherapy for patients as close to home as possible. Over the years, we saw a huge change in the types of chemotherapy that we delivered. We went from delivering relatively high-volume, very simple chemotherapy to delivering much lower-volume, higher-intensity treatment. As a consequence, smaller communities couldn't keep up the level of expertise that we demanded of them. It was an understanding of those challenges, and communities feel very strongly about what they have. When we had to say to them, "We don't believe it's safe for you to do this any longer," they were very upset, and rightly so, because we'd come to them and said, "We really think you can do this" under different circumstances earlier on.

I'm hoping that that kind of knowledge about the challenges of the type of population distribution we have in the northeast will be helpful.

**Mr. Howard Hampton:** In my part of the province there is much criticism of the LHINs, that they're not so much making health care decisions as they are making political decisions. In other words, health needs seem to take second place to decisions that might generate, from one day to the next, good headlines for the government. I think there's no denying that LHINs, because they're not representative of the general public—they're not being elected by the people or appointed by the people, you're essentially being appointed by the Premier's office. How do you deal with that?

**Dr. Colin Germond:** I think it's definitely a challenge. I think part of the problem, though, is that there's probably not a very good understanding of what the LHIN is actually responsible for. Certainly, when I came to read up a bit about it, I found that what I'd thought they were responsible for is not actually entirely the case. So I think there's a perception problem and that the LHIN doesn't perhaps have the profile that is necessary. Most people don't know what the LHIN is there for, so it could well be that the LHIN is perceived as being purely political; whereas, in fact its real role may be somewhat different. I think that is a challenge for the LHIN, to make itself more visible and make it clearer what it's supposed to be doing.

**Mr. Howard Hampton:** Let's go back to your first answer. Communities in my part of the province are, if I can use the term, supposed to be served by the North West LHIN. The perception is that the LHIN is, in fact, taking health care services out of smaller communities and centralizing them in one larger community. In other words, the LHIN is either reducing, cutting or removing health care services out of communities that have struggled and worked very hard over the years, in many cases done their own fundraising, financed their own capital equipment, and now the LHIN is telling them,

"No, no. If you want this service, you have to go to Thunder Bay." How do you, as a medical professional who has a professional duty to ensure people receive appropriate medical service, deal with those kinds of decisions?

0940

**Dr. Colin Germond:** It's a very difficult question, because what you say is absolutely true: Communities go to great lengths to try to improve the infrastructure that they have. But it may still happen that the most prudent decision is not to deliver the service in a particular community.

I alluded to the difficult decisions that we had to make with giving chemotherapy, which is a fairly simple example in the sense of, "How bad can it be to go down to Sudbury or Timmins to get your chemotherapy once every two weeks?" The answer is, from the patient's point of view, that it seems unreasonable; it seems unfair: "Why can't I get it at home? They give other types of chemotherapy here." So I think there are always two sides to that story, and sometimes it's not always in the best interests of the community.

One could take an example. For example, in Sudbury, we have patients with certain types of cancer diagnoses where we don't have the necessary resources to treat those patients adequately. We have to send them to Toronto. Again, the perception is, "You can do that type of surgery. You can do that type of radiation. You can give that chemotherapy. What's the problem?" The problem is that we don't have the volume of patients to maintain the expertise to do it. It's safer and more sensible to send people where there's a concentration of that type of talent.

So I think there are always two ways of looking at it. I can't say that each individual physician is right or wrong, but there are always these two ways of looking at it.

**Mr. Howard Hampton:** No further questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Ms. Cansfield?

**Mrs. Donna H. Cansfield:** I'd just like to say thank you for putting your name forward, and thank you for thinking about volunteering in your community. If you'd like to move to Etobicoke, I have four LHINs. I'd be thrilled to have you.

I'm being a bit facetious, but thank you again for putting your name forward.

**The Chair (Mr. Ernie Hardeman):** Thank you very much, and—

*Interjection.*

**The Chair (Mr. Ernie Hardeman):** Oh, you have more? Okay. Mr. Brown.

**Mr. Michael A. Brown:** I want to say thank you too. I represent the huge riding of Algoma-Manitoulin: Manitoulin Island and everything west of you to Sault Ste Marie, and then around Sault Ste. Marie to Hornepayne and Manitouwadge in the North West LHIN. I recognize the challenge of providing services.

I look at your qualifications at the oncology centre in Sudbury and recognize that the people I serve in the rural



areas rely so much on the expertise that you've gained, not only in treatment and looking after their individual needs but in making sure that, in some cases, the treatment is available at their local hospital. So I think that's the kind of expertise we need in the thousands upon thousands of square kilometres where we try to do this.

Maybe you can elaborate a little bit on how you've done outreach into the communities in your former position?

**Dr. Colin Germond:** In most cases, it was very easy to do, in a sense, because communities were very keen to take this on, initially. There are a number of reasons why, apart from the obvious one: that you'd better think seriously about cancer, since 25% of people are going to die of it. So you want in your community the services that you may one day require yourself. I can speak from personal experience on that.

Communities were very keen to set up satellite clinics where chemotherapy could be delivered. One of the little perks was that raising money for cancer care delivery is generally easier than in any other area of medicine. So to have a satellite cancer clinic was very beneficial for these communities in terms of fundraising and profile. The patients really liked it. And from our point of view it was particularly helpful, because the nurses who would run these satellites became very, very skilled, and they served as sort of deputies of ours in those communities. They were a link to us. They were a resource to the patients. It was a very easy sell.

What was very difficult was having to tell them that we didn't feel it was appropriate for them to continue that any longer. We had some come to us and plead the case, and when we explained the rationale, they were comfortable with it, but they were never happy.

**Mr. Michael A. Brown:** I think that your expertise in that area is very transferable to the North East LHIN in that what you have seen done with cancer care is also done pretty reasonably and very well in cardiology, for example. We have cardiologists in many of our hospitals visiting from Sudbury and other places.

I just want to commend you again for putting your name forward. This is an important public service. It puts a person who has been a front-line provider with people with various other expertise. Thank you for putting your name forward. We will clearly be supporting your nomination.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The opposition: Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Dr. Germond, for putting your name forward. I served for a little under three years during the time you were head of the department up there. I want to thank you for being one of the few groups of doctors, under your leadership, that didn't go on strike during my time as Minister of Health, or otherwise hate me.

You did a good job. You, of course, were there when the cancer centre was being built and Cancer Care Ontario was being introduced. Congratulations for all that. As Mr. Hampton has said, given the controversy

around LHINs, the uncertainty of their future, the perception that they do the government's dirty work and that when there's good-news announcements, like \$15 million for the Grace during a by-election, the government makes the good news and makes the LHINs do their dirty work, why do you want to potentially ruin your good reputation by joining this gang of thieves?

*Laughter.*

**Mr. Jim Wilson:** It's a bit of a set-up there, Doctor.

**Dr. Colin Germond:** I hope I'm remembered for what I did.

**The Chair (Mr. Ernie Hardeman):** And you thought there would be no difficult questions.

**Dr. Colin Germond:** Yes, that's right.

I think that the LHIN is important. If that's the way that health care has to be delivered, then it's important that it's run as well as it possibly can be. If I can contribute to making it run better, then that will be worthwhile.

**Mr. Jim Wilson:** You mentioned too many ALC patients in the Sudbury area; in the northeast, we have that. It's particularly acute in your area. You've got an older population; you've got a population for which, generally, the health indicators aren't as good as the average across the province, whether it's smoking, drinking, obesity or whatever—a real challenge. But the LHINs haven't been, and they're not set up to be, a lobbying group for the local area. Don't you think that—for instance, with your reputation, I'm sure if you just went to the local editorial board, even as a retired physician, you'd probably get far more bang and influence on the government than becoming a member of the LHIN. Do you have any thoughts on that?

**Dr. Colin Germond:** I think you're probably right about that, but it's probably not appropriate for people to be sort of Don Quixotes, sort of tilting at windmills on their own. There's a process for trying to affect change. Maybe it's not always the easiest way to do it, but if that's the appropriate way to do it, I think that should be supported rather than saying, "Well, I'm going to champion this particular cause."

Just with regard to that particular point, I asked one of the members of the LHIN—not of the board, but one of the workers in the LHIN—what their role had been in trying to secure the ALC beds at Memorial. Her reply was that they're not in a position to lobby, which is fair enough, but they were present at the discussions that the physician group had initiated and did try to give as much support as they could to moving the process along. Is that the best way that the LHIN could have operated? I'm not sure. Maybe there's room to be more proactive, more effective. I couldn't say for sure. Obviously, I'm not in a position yet to say.

0950

**Mr. Jim Wilson:** I appreciate that, and I appreciate your response.

One of the controversies we're dealing with in the House around the budget bill now is schedule 12, which cancels the legislative review of the LHINs. We've not



been given any reason why—in spite of a lot of questions in question period and in other forums—the government is not moving ahead with what, in many ways, could be beneficial to the LHINs and to the government if it was handled properly. They're cancelling the legislative review, breaking the law. Do you have any comments on that?

**Dr. Colin Germond:** I didn't know about that.

**Mr. Jim Wilson:** It was 2010—when the LHIN law was first brought in, there was a sunset clause and a comprehensive review so that if it couldn't justify itself, we would scrap them. That could be one of the outcomes. Tucked neatly into the budget bill, the one that was just tabled—as a result of last month's budget, the government is getting rid of the review. It just won't happen this year. Well, if you didn't know about it, good answer.

If, by some means, you came across the knowledge of untendered contracts at your LHIN, what would you think you should do about that?

**Dr. Colin Germond:** I think it's completely unacceptable. When we look at the mess at eHealth, which is something I'm particularly upset about because—it always bothered me, for example, that I could say to a patient, "What medications are you on?" and the patient's pharmacist would know, but I wasn't in a position to know. So eHealth was something that I was really looking forward to seeing move along. When you look at the debacle there, untendered contracts are clearly not the way to go.

**Mr. Jim Wilson:** Thank you for your responses.

Because Ms. MacLeod is unable to be here, we're going to ask for a deferral on this appointment, too.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation and your presence here this morning. We will be dealing with your appointment following your interview. We do wish you well in future endeavours.

**Dr. Colin Germond:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning, so we will start with the concurrences. We do have a request to defer consideration of concurrence on our first interview. According to the standing orders, they have the right to request that. The timing of it is not part of it; I just want to make sure we all understand that. It can be requested, and if you request to defer consideration, there is no further consideration until that deferral takes place. Anyone has the ability to ask for that.

We will just deal with the concurrence on Dr. Germond.

**Ms. M. Aileen Carroll:** May I ask a question?

**The Chair (Mr. Ernie Hardeman):** Yes.

**Ms. M. Aileen Carroll:** Just as a new member—so concurrence means that the decision is put off a week, and then—

**The Chair (Mr. Ernie Hardeman):** Deferral of consideration. We'll give no further consideration to the application until next week.

**Ms. M. Aileen Carroll:** So what happens next week? Do we have a discussion? Do they bring the people back?

**Mr. Jim Wilson:** No. We just have a vote

**Ms. M. Aileen Carroll:** So we have the vote then instead of today?

**The Chair (Mr. Ernie Hardeman):** Next week, there could be a discussion, as there is the opportunity to have a discussion on any concurrence that is conducted in this meeting. What is being deferred is the total consideration of the concurrence.

**Ms. M. Aileen Carroll:** Thank you, Chair.

**Mr. Jim Wilson:** On a point of order, Mr. Chairman: I'm not sure if you heard me. I also asked for a deferral on the second nominee, Dr. Germond.

**The Chair (Mr. Ernie Hardeman):** I didn't hear it for the second one. Obviously, if you are asking for a deferral of concurrence on the second one, that will be treated in exactly the same manner, then. We will deal with both of those considerations of concurrence at our next meeting.

This brings us to the timing of our next meeting, which is at 9 a.m. on Tuesday, April 20.

Before we make that final, is there any further discussion or anything you would add for the betterment of this committee's deliberations before we adjourn?

**Mr. Jim Wilson:** Mr. Chairman, what is the agenda for the next meeting?

**The Chair (Mr. Ernie Hardeman):** It will be intended appointees. We do have a report, but we have not yet had the opportunity to get the staff together to talk about the committee process and how we'll proceed with our reviews of agencies. Hopefully we'll have that to discuss at the next meeting.

**Mr. Jim Wilson:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Is there any other business that the committee wishes to discuss? If not, we'll adjourn till 9 o'clock on April 20.

*The committee adjourned at 0956.*







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Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 20 April 2010

# Journal des débats (Hansard)

Mardi 20 avril 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

Nominations prévues



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 20 April 2010

*The committee met at 0903 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** We'll call the committee meeting on government agencies for April 20 to order. Thank you all, first of all, for being here. We appreciate that.

## INTENDED APPOINTMENTS

## MS. FAY BOOKER

Review of intended appointment, selected by official opposition party: Fay Booker, intended appointee as member and Chair, Niagara Parks Commission.

**The Chair (Mr. Ernie Hardeman):** The first order of business is to deal with the concurrences from the previous meeting.

If we could have a motion dealing with the concurrence of Fay Booker, we would appreciate that.

**Mr. Michael A. Brown:** I'm proud and pleased to move concurrence in the appointment of Fay Booker as member and chair of the Niagara Parks Commission.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Recorded vote, please.

**The Chair (Mr. Ernie Hardeman):** A recorded vote has been requested.

## Ayes

Balkissoon, Brown, Cansfield, Carroll, Delaney.

## Nays

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## DR. COLIN GERMOND

Review of intended appointment, selected by official opposition party: Dr. Colin Germond, intended appointee as member, North East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** The second one is consideration for Dr. Colin Germond, an appointee to the North East Local Health Integration Network. A motion for concurrence?

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 20 avril 2010

**Mr. Michael A. Brown:** I am proud and pleased to move the concurrence in the appointment of Dr. Colin Germond as member, North East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Any discussion?

**Mr. Michael A. Brown:** Recorded vote.

**The Chair (Mr. Ernie Hardeman):** Any further discussion? A recorded vote has been requested. Yes?

**Ms. M. Aileen Carroll:** I'm voting.

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** It's very important that we get the votes in, but we do have to wait for the voting times.

## Ayes

Balkissoon, Brown, Cansfield, Carroll, Delaney.

## Nays

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## MR. HOWARD CHARLES DICKSON

Review of intended appointment, selected by official opposition party: Howard Charles Dickson, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** With that, we will move to today's appointment reviews. Our first interview today is with Howard Charles Dickson, intended appointee as a member of eHealth Ontario. Mr. Dickson, if you would come forward and have a seat at the table. Sit there in front of the light.

We thank you very much, Mr. Dickson, for coming in this morning for this interview. We will provide you with an opportunity to make a few opening comments if you so wish. At that time, after your opening comments, all three parties will have an opportunity to ask any questions they may have about your appointment and your interest in the board of eHealth. Upon the conclusion of that, we will have consumed the half-hour of time that has been set aside for this. With that, Mr. Dickson, the floor is yours, if you wish to make opening comments.



**Mr. Howard Charles Dickson:** Mr. Chairman, members, thank you for the opportunity to appear before you today to discuss my interest and suitability to serve as a member of the eHealth Ontario board of directors. Let me provide the background on why I'm here before you today.

I have had the privilege to serve the province previously as a member of the large-scale I&IT projects panel back in 2004-05. Our recommendations on information technology project governance were well received and influenced policy.

One of my colleagues on the panel, Carol Stephenson, who's the dean of the Ivey School of Business at the University of Western Ontario, is an eHealth Ontario board member, and she invited me about a year ago to join her projects and performance committee.

I've served as an adviser and member of the committee since then, and I also shared my perspectives and experiences with the new chair, Ray Hession, earlier this year. He had suggested that I apply to join the board of eHealth Ontario, which has resulted in our discussion today.

I see the role of electronic health records as a fundamental prerequisite for the improved functioning of our health system, as they will provide the factual information base for moving forward prudently.

In sorting out any complex problem, turning on the light is usually a good first step. The eHealth Ontario environment is an opportunity to ensure that related information technology investments are managed wisely and in a manner that delivers public value.

We have seen in other industries that computers alone do very little. However, when they are used as part of a transformative drive to measure service, empower both providers and clients—and obviously, in our case, patients—through improved communications, they can be very effective.

EHealth, particularly in its role of enabling transformation in health care delivery, is important to us all. Consequently, I believe that my experience and depth of knowledge in overseeing and leading projects and operations that depend upon information technology can contribute to eHealth's success. I'm ready, with your support, to serve.

I will be delighted to take your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As I should have mentioned before it started, the questioning will start with the government side. Mr. Brown.

**Mr. Michael A. Brown:** Welcome, Mr. Dickson. We're pleased to have you here this morning.

I was just wondering: You briefly went over this, but maybe you could expand upon it. You had a role on the government of Ontario's large-scale I&IT projects panel, so I suspect that's one of the reasons that your name has been put forward here. Could you elaborate on the experience you had there and how this contributes to you as an appointee to this board?

0910

**Mr. Howard Charles Dickson:** Yes, delighted. I joined the panel because I observed that I felt somebody

who'd spent most of their career in information technology should be part of it. The chairman of the panel was the former Auditor General, Denis Desautels, and I contacted him and said that I would really like to contribute.

The observation that I made at the time, and I think since then, is that we're very concerned about the success rate of large IT projects. I looked at the set of projects that were before us then, six years ago, and I noticed that 80% of the projects were actually on time and within budget, but they only represented 20% of the budget. Some 80% of the projects by budget were in trouble. When you go and look into them, it's not the technology; it's not the quality of the programmers—and I say this honestly with experience from defence and experience from Hong Kong. These are business transformations, and if we delegate business transformations to the technology department, I think we're going to be disappointed. I think that's been our history.

Candidly, I would suggest that we advocated, then, that for business transformations, when IT projects are that big, we needed to have very senior members of the administration involved, and that can be a very critical success factor in those. People tend to look for technical problems. Yes, we do have technical problems, but more often it's a lack of senior client commitment and understanding that changing their business is only something that they can legitimize.

**The Chair (Mr. Ernie Hardeman):** Anything further? Ms. Carroll.

**Mr. Michael A. Brown:** No, Mr. Delaney, I think.

**The Chair (Mr. Ernie Hardeman):** Mr. Delaney.

**Mr. Bob Delaney:** Yes, a couple of questions just to have you elaborate a little bit. In looking at some of the assignments you've had in your very extensive portfolio of experience, could you go over for me the scale and scope of some of the projects that you've managed?

**Mr. Howard Charles Dickson:** Well, there have been portfolios of projects, and I must admit that the recall of all the details is not there. But I do remember one called the Canadian Forces supply system upgrade, which had started some 15, 16 years before I joined defence. It was running in the \$300-million range, and on my watch, it was going two months further behind for every month that I was in defence, so I felt the need to blow the whistle. In that case, again, it was a question of executive management really getting involved with what was going on, understanding clearly without any kind of bias where we were and how much money was left, and then getting the suppliers to estimate what they could do for the balance of the funds. In this case, they finished what they said they could do for the balance of the funds, and I was able to get them the remaining funding to continue.

But when these programs, may I say, are lost in middle management without somebody who can come and apply a reasonably senior perspective to them, they don't get out of the ditch, and we have to make sure we have sufficiently senior oversight who can come along and get the facts straight.



**Mr. Bob Delaney:** Looking at some of the projects that you've overseen in, say, the past decade, what are some of the factors in them that the challenges in eHealth may have in common?

**Mr. Howard Charles Dickson:** The challenge that I see in common with eHealth is—again, if I look at the program, and I would be the first to admit that I'm relatively very new in the health business, what I see in common is the sense that we can build electronic health records sort of as an appliance that we can plug into the health system. My sense of the commonality is that eHealth standing on its own is kind of like the days when we felt there were huge economies by applying computers and cutting out tellers. The importance of applying computers is that they're part of a program to transform how you're going to deliver service, and I see a very strong parallel there that if we have an eHealth records program that is separate from the mainstream policy-making and the mainstream operations of health, I don't think it will be very successful. If, in fact, it's seen as a means for moving forward in transforming health where that's required, I think it can be very successful. So that's where I see a huge linkage.

The potential projects are very, very large; I saw the number \$2.3 billion mentioned here in the strategy. Where it's very, very large, I think it's absolutely essential that it's seen not as an IT family of projects but as a family of business transformations that the business owners, i.e. those in the policy-making and in the hospitals, are part and parcel of.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That concludes the time. Mr. Wilson?

**Mr. Jim Wilson:** Thank you, Mr. Dickson, for putting your name forward. You were already a volunteer member on eHealth?

**Mr. Howard Charles Dickson:** Yes.

**Mr. Jim Wilson:** What have you been doing there?

**Mr. Howard Charles Dickson:** Back last May I went to an introductory meeting. I was then, I think, at two or three of the eHealth committee meetings on projects and progress. Every quarter I saw and reviewed a fairly large portfolio of projects. Throughout the process, my concern was: Why this set of projects? How do they connect directly to the strategy? My activity there was very much one of getting familiar with the environment and, as I say, overseeing the about three dozen projects that we were taking an interest in.

**Mr. Jim Wilson:** Given the scandals that have occurred at eHealth, are you sure you want to join them as a part-time member?

**Mr. Howard Charles Dickson:** Well, let me answer this in this way: I come from a country where they say where there's muck there's money. But there's an opportunity, I believe, a professional opportunity to address just about the most important issue facing Canada and other countries at the moment, so I'm really delighted, in a retirement role, to have that opportunity. I do also think we have, for the last year, been treating symptoms, and the symptom is resourcing within the public sector. Why would we be going to such extremes with consultants if,

in fact, we can find sufficiently proficient public servants? I think that's one of the underlying challenges. That's not talked about so much in the press because the other material is obviously far more attractive, but I think that's one of the underlying root causes that is in the back of my mind and that has to be addressed going forward.

**Mr. Jim Wilson:** Thank you. I don't have any further questions.

**The Chair (Mr. Ernie Hardeman):** We'll then go to the third party. Mr. Hampton?

**Mr. Howard Hampton:** I have no questions.

**The Chair (Mr. Ernie Hardeman):** That was a short half-hour, but we thank you very much for coming forward and we wish you well in your future endeavours.

**Mr. Jim Wilson:** I would like to defer the vote on this, given that Ms. MacLeod has taken ill this morning and she would like to vote on this when it comes up.

**The Chair (Mr. Ernie Hardeman):** Thank you.

#### MR. BYRON TURNER

Review of intended appointment, selected by official opposition party: Byron Turner, intended appointee as member, North East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our second appointee this morning is Bryon Turner, intended appointee as a member of the North East Local Health Integration Network. Mr. Turner, if you would come forward. Again, we thank you very much for being here this morning. If you wish to make a few opening remarks, we would be happy to hear them. Upon conclusion of that, we will have an interview by the members of the committee. Each party will have 10 minutes to ask questions related to your appointment, and that will conclude the hearing this morning. In the next round, we will start with the official opposition in the questioning. With that, the floor is yours, Mr. Turner.

**Mr. Byron Turner:** Thank you, Mr. Chairman. My first name is Byron. You can call me Jib. I have a nickname but I go by either one.

Good morning, Mr. Chairman and members of the committee. I would like to thank you for this opportunity to meet with you today. I come before you here in response to your ad in the Manitoulin Expositor regarding the need to fill a position on the board of the North East Local Health Integration Network.

Having watched the development of the LHINs over the last several years, I have developed a keen desire to participate in the process. Being from northern Ontario, I recognize the challenges associated with delivering quality care over such a large geographic area in a consistent and efficient manner. I want to be involved in moving this process forward and ensuring that quality services continue to be delivered across the north.

#### 0920

I also see an opportunity for personal development and growth. Having recently left municipal politics, I am seeking the opportunity to continue contributing to my community and my province.



I understand that the two most important functions of the province are the provision of education and health care services. The need to protect these vital services while ensuring that they're delivered in the most effective and fiscally responsible manner is critical as we face the increasing pressures of an aging population and limited resources.

I have a solid understanding of local and regional issues. I have been involved in development and growth on Manitoulin Island and the surrounding area—the North Shore—for the past 30 years. I have an excellent relationship at the municipal and community levels, and I have a keen interest in addressing health and long-term care issues in northern Ontario.

I also have direct experience in management and the development of budgets and financial information. That should prove useful in my role as a board member.

As a businessman, I have developed strong entrepreneurial skills which will enable me to bring a creative and financial approach that encourages looking beyond the obvious and seeking unique solutions to problems. I also have some flexibility in my work life, which will enable me to attend meetings across northern Ontario.

As a business owner, I fortunately have a very strong support staff—my wife. They are able to manage business while I would be attending any of the board meetings. I believe that these critical supports will ensure my attendance and availability to be an active member of the board.

The purpose of my opening statement was to provide you with a sense of who I am and how I might fit this organization. I believe I have a contribution to make, and I look forward to the discussion.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. First of all, I want to make apologies. I introduced you as Bryon, and it's Byron?

**Mr. Byron Turner:** It happens all the time.

**The Chair (Mr. Ernie Hardeman):** We apologize for that. I always feel that the first time I make an apology in the day, it makes the rest of the day go better.

**Mr. Byron Turner:** Very well.

**The Chair (Mr. Ernie Hardeman):** With that, we'll start the questioning with the official opposition. Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Mr. Turner. You may or may not know that there was a mandatory review of the LHINs scheduled for this year, but in the budget bill—in schedule 16 of the current budget bill that's before the House—the government cancelled that mandatory review, I guess because of the scandals at the LHINs. Do you have any comments on that?

**Mr. Byron Turner:** No. I think that in any new entity, which the LHIN would be considered, a review is necessary. It was likely that it wasn't the appropriate time. I don't know the answer. It takes a while to get things off the ground. I'm looking forward to getting involved in the North East LHIN at this point and getting it prepared for the upcoming review, which I suppose is slated for later.

**Mr. Jim Wilson:** Do you have any experience in the health care field?

**Mr. Byron Turner:** No, I do not. I have sat on committees in and around our health centre in our municipality. I was directly involved in the municipal council when the family health team was brought into our hospital area. We supported that wholeheartedly. It was a tremendous addition to our community.

I am in business in the community. I see the incredible strength of the social network with both our long-term-care facility and our hospital. Basically, we're in the small retail business in downtown Little Current. It's a town of 2,500. We have a short season in the summer trade; my father used to say that we get a recession every September.

But the people who work in and around our health care system and our long-term-care facility are great customers and support our local businesses, as do the people who visit the patients there who are under care, as do the patients. It's great for us to have that in our communities, and I see the need to continue that. I see a very significant role for services in the smaller towns.

**Mr. Jim Wilson:** As a member of the LHIN, if you came across untendered contracts, what would you do?

**Mr. Byron Turner:** Untendered contracts: Anything that I've had to do—certainly in municipal politics, everything that we have done or that I have been involved with has been tendered. I would suggest sticking with that policy.

**Mr. Jim Wilson:** Okay, thank you.

**The Chair (Mr. Ernie Hardeman):** Third party: Mr. Hampton.

**Mr. Howard Hampton:** Do you mind telling me how your name was put forward?

**Mr. Byron Turner:** I saw the ad in the local newspaper. I have checked with a few colleagues and also talked to the MPP's office in our riding. Then I did the application on the Internet, sent it through and received a contact after that was done. It was all done online.

**Mr. Howard Hampton:** Recently, it has come to light that the former CEO of the North East LHIN left halfway through the year, yet received remuneration—I think the figure was \$237,000. How do you feel about that?

**Mr. Byron Turner:** I don't know the specifics of his contract, and I wouldn't want to comment on the contract, as I'm not a lawyer and I don't know anything about the contract.

I think that, going forward, we have to build in efficiencies into the system. Efficiencies means streamlining. My background is small business. We're doing that continuously, and we still have to be able to get an effective service out to the general public. As far as the amounts you're asking about, the dollar figures, they have to be in check at all times, I believe.

**Mr. Howard Hampton:** In my part of the province, what you might call "streamlining," people see as the centralization of more and more health care services in one larger centre, in effect taking health services out of the smaller centres. How do you see streamlining?



**Mr. Byron Turner:** More along the lines of efficiencies in the system itself. I do not want to see a lack of services in the smaller rural areas. I am from the same type of area as you. I see the terrific advantages, especially when it concerns seniors and their inability to move around a very large area. I support the role of our small hospitals and I support the role of our long-term-care facilities out in the rural areas, and not regionalized.

**Mr. Howard Hampton:** I can tell you, the other thing that creates certainly a slow burn in people—in some people it creates a very fast burn—is when they see nurses and health care workers being laid off from their local hospital or home for the aged, and then they see quarter-of-a-million-dollar salaries being paid out to executives of the LHIN. People just don't see how this can be happening. What do you think has to happen to ensure that we don't see more of this?

**Mr. Byron Turner:** Again, the board has to oversee a well-run executive structure. I think that in our area, the problem isn't with layoffs; it's with human resources and finding the people to work in the system.

I would like to see more graduating students. I would like to also see—as well, I still think that a strong executive management team is very important. Therefore, using the resources properly would be able to make sure that the services and the people keep their jobs. We need those jobs in the north.

0930

When I was a young fellow growing up, we had candystripers. I have a 15-year-old daughter. There isn't any program for her, and community services aren't aware of the health care system at all. Getting the message out, I'd love to see getting the kids and our high school students involved in volunteering in our local hospital. I think they really need to understand the value of going to a doctor and how much it costs when they go to emergency. This message could clearly—I think if you use the route of one of the fruit-bearing computer companies and get to our generations early, we can not only bring some volunteers into the system but also make them aware of how expensive it is to operate it.

**The Chair (Mr. Ernie Hardeman):** The government side: Mr. Brown.

**Mr. Michael A. Brown:** Thanks for appearing today. We're really very pleased that you put your name forward to represent the part of the world that I'm from.

One of the things that's unique to Manitoulin but certainly not unique to the north, and members may not know this, is that Little Current, our northeastern Manitoulin and the islands municipality, has two First Nations as neighbours. A large portion, as much as 50% of the population of Manitoulin, are First Nations people. I know that you've had strong relationships with both of the very close First Nations, but there are larger ones not far away. Could you maybe comment on the relationships between First Nations and the health care system, or business in general, perhaps?

**Mr. Byron Turner:** We're quite fortunate. We have a tremendous rapport. I have an older daughter as well and two First Nations grandchildren. We're very proud that

my family's been in business for now six generations in the Little Current area. Over the years, as they all say in the north, we played hockey together, but we worked together. We still do.

We have a terrific sense of community between the native and non-native populations. It's very unique. I think it's something that could be modelled everywhere.

My great-grandfather spoke Ojibwa. Unfortunately, the language was set aside for a little while, so none of us bothered. I can understand a bit of it.

With regard to the health care system, they have terrific availability of health care in the area. Because of the diabetes situation, we're able to have a diabetic clinic in our hospital. Again, it creates a lot of really good socioeconomic benefits to the community. People have to come in. People have to work there. We have a dietitian. We have a nurse and a nurse practitioner who oversee it. It's quite an addition to our hospital. It's a benefit to me. I'm a type 2 diabetic as well.

But I see the opportunity, if on the board, to take that kind of knowledge that I've got of our local success working with First Nations and non-native peoples to other areas.

**Mr. Michael A. Brown:** Do I have more time?

**The Chair (Mr. Ernie Hardeman):** Go ahead.

**Mr. Michael A. Brown:** You mentioned in passing the family health team that was instituted at Little Current some time ago. We also have one at Manitowaning—

**Mr. Byron Turner:** Mindemoya.

**Mr. Michael A. Brown:** —and recently, they're now forming one at Mindemoya. And Espanola has a family health team. Contrary to the experience in Mr. Hampton's riding, I would suggest that local health care is being provided better than ever. We provide services that weren't there not too long ago.

My question is—you won't just represent the district of Manitoulin or that area—do you have experience across the broader north? I know that you've been involved in a number of other activities besides just operating a business at Little Current.

**Mr. Byron Turner:** Oh yes. I spent several years in the 1980s and 1990s in the tourist business, so I have knowledge of the Northern Ontario Tourist Outfitters Association. I was in and around for quite some time. I worked with several people and sat in on a lot of the discussion that went on in and around that very wonderful and beautiful part of our Ontario experience. I loved every minute of being in that business. I can only recommend that you do it in your 20s and 30s and not in your 50s and 60s. I've still got some aches and pains.

I also am quite active in sailing and boating. Because we live on the beautiful North Channel, which is one of the most sought-after cruising grounds in the world, we have a great yachting fraternity. So I've spent several years on the North Channel Marine Tourism Council and got to work with the marketing and economic development of the North Channel cruising marine tourism with various representatives all the way from Sault Ste. Marie to Killarney.



**The Chair (Mr. Ernie Hardeman):** You have more time.

**Mr. Michael A. Brown:** Oh, we still have more time.

I don't think we need to extend this other than to say that we view the North East Local Health Integration Network as a positive, in that we now get local input in the decisions that are made that affect our health care in northern Ontario rather than ceding the responsibility of looking after northern Ontario to faceless bureaucrats in downtown Toronto.

**The Chair (Mr. Ernie Hardeman):** That concludes the interview. We thank you very much for coming in. We do wish you well in your future endeavours.

**Mr. Byron Turner:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thanks very much for taking the time to come all the way from the north to here to have this interview.

**Mr. Jim Wilson:** Mr. Chairman, I just want to make a point of order. I believe committees are supposed to start when orders of the day are called. I may be wrong on that, but that's the way it always was. So if I'm up in the House, as I was this morning, for prayers, you'd already taken the votes. In fact, every week you do that. My understanding is that committee starts when orders of the day are called.

**The Chair (Mr. Ernie Hardeman):** I can check into that. That may be part of the rules, but the process has always been that the committee starts at the time the committee's set to at the last adjournment. This morning, the time was 9 o'clock and the first delegation was scheduled to begin the interview at 9 o'clock. We will check that, Mr. Wilson, and if that's the case, we will do that. I've had a number of times sitting here wondering whether we should wait until after prayers or start right at 9 o'clock, and I have continued to wait under the Speaker was through with prayers and I saw the Sergeant-at-Arms moving to his seat, and that's when we started. We'll check it and we'll let you know at the next meeting if there's any change to be made to that.

**Mr. Michael A. Brown:** Just on that point, I'd like to clarify too: When I first came here a while ago, committees could only sit when the House was in session also. So if there was an adjournment upstairs, we adjourned too. I'd just like some clarity. I know things have changed and I'm just not totally up to speed, and I think the committee members would all appreciate the advice.

**The Chair (Mr. Ernie Hardeman):** We'll check that, too. I don't believe that's the case, that the House has to be in session. I do know the committee must adjourn when the bells go for a vote. In fact, in the standing orders it does speak to holding meetings when the House is not in session and that we can do that at the call of the committee and we can only do it three meetings per month. That would be when the House is not sitting. So I presume that we can sit when the House is not sitting. But we'll check on both of those and get back to you on that. Thank you very much.

0940

We now have the concurrences. We did have, I believe, a request to defer the consideration of the first—

**Mr. Jim Wilson:** We don't need to do that now that Ms. MacLeod's here.

**The Chair (Mr. Ernie Hardeman):** Oh, okay.

**Mr. Jim Wilson:** Thank you.

**Mr. Michael A. Brown:** Mr. Chair, could I just get some clarification? Deferring a vote when the vote has been called seems to me to be contrary to the way we do things in the Legislature itself.

**The Chair (Mr. Ernie Hardeman):** But I would point out to Mr. Brown, we're not deferring the vote. We're deferring the consideration, okay? That's why we don't call the concurrence vote and have the motion put and then defer the vote. That's why it's important that it's asked for prior to, because it's the total consideration that can be deferred up to seven days.

**Mr. Michael A. Brown:** Okay. Thank you.

**The Chair (Mr. Ernie Hardeman):** So, with that, do we have a motion to deal with the appointment of Howard Charles Dickson, intended appointee as a member of eHealth Ontario?

**Mr. Michael A. Brown:** Mr. Chair, I'm pleased to move concurrence in the appointment of Howard Charles Dickson as a member to the board of eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Yes, Mr. Chair. I'm sure Mr. Dickson is a fine fellow. The official opposition isn't necessarily opposed to great people coming forward; of course we do support that. But I will be voting against this, for a number of reasons. One is, again, until there's a public inquiry into eHealth, it's going to be very difficult for the official opposition to continue to support its operations.

In addition to that, there is a question, I think, that's hanging over this committee room over Mr. Dickson's residency in Quebec. I think that is something our constituents might be concerned about.

Again, with respect to somebody who is probably a very good person, we won't be able to support this candidacy.

**The Chair (Mr. Ernie Hardeman):** Any further discussion? Yes, Mr. Brown.

**Mr. Michael A. Brown:** This question of residency is of interest to us. We believe, on the government side, that we should always choose the most capable person possible. That's why, for example, the chair of Ontario Power Generation is Jake Epp, who is a resident of Calgary. That does mean we believe we should have the best person possible, going forward. For example, we do not believe that a member needs to live in their constituency to be elected in it. Unless members are suggesting that, I don't see that as a valid objection to the appointment of the best person.

**Ms. Lisa MacLeod:** Mr. Chair, I think that's actually an unfair statement, because I wasn't going there. I said that there is a question there. It is a concern. It was a concern with the appointment of Ms. Booker last week, when we heard from Niagara residents. I've simply stated it. I did not want to engage in debate with the member



opposite. It is a concern I have. I have a right to that concern, as do my constituents.

With all due respect, I'm sure he's a lovely fellow. He does work in my riding and that makes him probably better than anybody else we've seen in this committee, because he has some ties to my riding.

But again, that is a concern that we have, and I'll let that stand.

**The Chair (Mr. Ernie Hardeman):** But again, we just want to debate the appointment or the concurrence, not the merits of how each individual member of the committee proposes to vote.

**Mr. Michael A. Brown:** Well, yes, we think Mr. Dickson, obviously, has much merit and that he should be supported.

I still find it passing strange that the way the official opposition chooses to conduct themselves is to call appointees and then vote against everyone who gets called.

The government would prefer that we look at these people on their merits. We believe that Mr. Dickson certainly exhibits all the qualities we, as Ontarians, would like to see in a member of this board.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Any further discussion on the concurrence motion, not on the debate of how other members of the committee propose to vote? Ms. Carroll.

**Ms. M. Aileen Carroll:** I don't know if I fit into those parameters. Is it not incumbent on members of this committee, if they have reservations, to articulate them as to why?

**The Chair (Mr. Ernie Hardeman):** Yes. The committee members are allowed to say anything they wish as it relates to the motion that's before us, which is to concur to this appointment. So any committee member who wishes to speak to the merits of the appointment has every right to do that. My question and my suggestion is only that it not become a debate of talking about each other's position. Articulate one's own position on the committee.

**Ms. Lisa MacLeod:** Mr. Chair, I put the vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Recorded vote.

#### Ayes

Brown, Balkissoon, Cansfield, Carroll, Delaney.

#### Nays

Hampton, MacLeod, Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Our second appointment is considering the concurrence of Howard Charles Dickson, intended appointee—no, that's the one we just did, isn't it? Byron Turner. My apologies, again. We have a motion to deal with the concurrence of Byron Turner.

**Mr. Michael A. Brown:** I am pleased and proud to move the concurrence in the appointment of Byron

Turner as a member to the board of the North East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? Ms. MacLeod.

**Ms. Lisa MacLeod:** Yes. Just to say: We thoroughly enjoyed Mr. Turner coming to committee today. I think he's a fine person who obviously cares very deeply about his community. We got that. He's a decent person.

With respect to the LHINs: It has been no secret that the official opposition has had some serious concerns about untendered contracts with the LHINs. A review was supposed to take place, but was delayed by the government. It has been no secret that our leader, Tim Hudak, and the PC caucus have some serious reservations moving forward, if we were to form government, to maintain the LHINs. So with respect to Mr. Turner, we wish him well. But, unfortunately, given the circumstances surrounding the LHINs, we won't be able to support LHIN appointees. So I just want to inform him of that.

**The Chair (Mr. Ernie Hardeman):** Any further discussion?

**Mr. Michael A. Brown:** The government's view, of course, is that Mr. Turner is a fine candidate for this position. This is not the place to play silly partisan politics about the appointment of people to boards of the province.

**The Chair (Mr. Ernie Hardeman):** Any further discussion? If not—

**Ms. Lisa MacLeod:** Yes. I just take exception to that. It's not really appropriate, given the fact that you either stand on principle on an organization or you don't. My constituents have serious concerns and reservations. Our caucus has serious concerns and reservations.

**The Chair (Mr. Ernie Hardeman):** Again, I would point out to the committee that this is a debate about whether we are going to vote for or against a concurrence of the appointments. I would hope we could keep it at that.

**Ms. Lisa MacLeod:** Mr. Chairman, I do caution members when they do vote on principle of accusing people of playing partisan politics.

**The Chair (Mr. Ernie Hardeman):** Again, we don't want to get into that debate, so we'll call the question. Recorded vote.

#### Ayes

Brown, Balkissoon, Cansfield, Carroll, Delaney.

#### Nays

Hampton, MacLeod, Wilson.

**The Chair (Mr. Ernie Hardeman):** I declare the motion carried.

That concludes the consideration of our interviews this morning.

For the next meeting, we have appointees again. We do need unanimous consent for Dr. Shaun McGuire, intended appointee as a member of eHealth. By our next meeting, the deadline will have passed by two days, so we would require unanimous consent to have the inter-



view at the next meeting and extend the deadline to that meeting. Okay? Thank you very much.

If there's any other business for the committee—I used to say, when I used to be chair of the scout

committee, “Any other business that would further the cause of scouting?” If not, the committee stands adjourned until next week.

*The committee adjourned at 0951.*







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Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 27 April 2010

# Journal des débats (Hansard)

Mardi 27 avril 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 27 April 2010

Mardi 27 avril 2010

*The committee met at 0905 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** I call the meeting of the government agencies committee of April 27 to order. The first order of business this morning is to apologize for my voice. It's something to do with age. It has mellowed. I find it hard to scream this morning, so I will be very congenial.

**Ms. Lisa MacLeod:** I'm your seatmate, and I confess that it has not mellowed.

**The Chair (Mr. Ernie Hardeman):** Thank you.

I do apologize for that, but hopefully I will get through the meeting. I want to thank you all for being here.

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** The first order of business this morning is the subcommittee report dated April 22. Do we have a motion to accept the subcommittee report?

**Mrs. Laura Albanese:** I so move.

**The Chair (Mr. Ernie Hardeman):** Thank you, Ms. Albanese.

You've heard the motion. Any questions on the report? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## DR. SHAUN MCGUIRE

Review of intended appointment, selected by official opposition party: Shaun McGuire, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** We have two purposes for the meeting this morning, as you will see on the agenda. The first is, of course, reviewing an intended appointee. Dr. Shaun McGuire is with us this morning as an intended appointee for eHealth Ontario. Upon conclusion of that, we will go into the closed session for doing the draft report on the Ontario Power Generation Corp.

We call Dr. Shaun McGuire to the table. Dr. McGuire, thank you very much, first of all, for coming in this morning. We will inform you that we look forward to a small presentation to speak about yourself, if you so wish to do that. Upon completion of that, we will have questions and comments from the parties in rotation. I believe this time we'll start with the third party—if not,

we will start with the government side. With that, we'll turn the floor over to you for your presentation, and we'll go from there.

**Dr. Shaun McGuire:** Thank you for the invitation to appear this morning.

I'll start off with brief remarks about an electronic health record and why we simply have to have one. You can't manage what you can't measure in a timely fashion. Electronic health records are a fundamental enabler of effective management. This is essential to performance management and, more importantly, to performance improvement in many domains of health care, particularly in quality and safety and in effectiveness of patient care. Potential benefits accrue not only to the system; potential benefits accrue at the individual interaction level to patients and providers alike.

If I could briefly indulge you with an anecdote, last week I received a report on a patient who was cared for in a hospital. The report contained the complete admitting information, contained complete documentation of the hospitalization, contained beautiful colour photographs of everything that was done to this individual. I received the report less than 24 hours after the patient left a health care facility in a city in the Far East, and that report managed to find its way to me in Ontario. Why can't we have that type of information? Electronics is the obvious solution to getting it in a timely fashion.

Why am I here? I have a bit of a different perspective and experience with health care and electronic records. I've worked in the Ontario health care system for 20 years at the rock face, and I've seen first-hand the difficulties and challenges that arise in trying to negotiate patients through what is described as a system, but unfortunately oftentimes is a series of silos through which information does not pass in a seamless fashion. I understand the amount of effort, time and resources that health care providers expend in trying to safely navigate patients through this array of service providers.

The provision of health care is complex. The systems and the interrelationships are multiple and not simple. Decisions are made collectively between patients and their health care providers, and those decisions require the availability of precise, timely and accurate information to enable bringing the right services to the right people at the right times.

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The system must address and reflect the needs of users. Oftentimes, systems reflect the needs of designers.



There is always the hazard that system builders and system custodians come to view themselves as the primary user, which can slow or negate the uptake and utility of the final system.

I have a fairly long record of engagement in the institutional community and other health care environments. I've directly observed the challenges and gaps in information and communications and the significant impacts those have on patient care. I have an experienced understanding of the health care system, and particularly the Ontario health care system. With it, I have had some experience in instituting IT projects, certainly at the local level in Ottawa and certainly at the primary care level as well. I am somewhat pleased to say that in my current environment, we have a functioning electronic health record.

I also have some experience in change management and in groups. My current role at the Ottawa Hospital is lead on physician engagement and lead on physician accountability. Working with Dr. James Worthington in that environment, we have relatively significant experience of trying to get change in a provider environment.

Somebody asked me, "Why do this?" The challenge is important. The opportunities for gains are significant. I believe that I have the necessary experience to make me an effective contributor to the group that is charged with realizing the development of EHRs in Ontario.

At that, I will invite your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As I said earlier, we will start the questions with the third party. Mr. Hampton?

**Mr. Howard Hampton:** What motivated you to take this on?

**Dr. Shaun McGuire:** I was approached by the chair, Mr. Hession, who is known to me. I have been involved in these types of projects in Ottawa over the past decade. Basically, the opportunity for gain is significant. The challenges are also significant, but that usually is commensurate with any project with a worthwhile outcome.

I think I've seen first-hand, as I've said, the disadvantages of not having this and I think I can bring something definitely positive to contributing towards a solution.

**Mr. Howard Hampton:** What specifically do you think you can bring to the job?

**Dr. Shaun McGuire:** In particular, I have a good knowledge of the environment for health care, I have a good knowledge of the information flows that are necessary and I have experience in implementing IT. As I said, in the Ottawa environment we have successfully implemented an electronic health record for our patients as well. In addition to that, I've been involved in the Ottawa Hospital at the IT and IT committee levels in implementation of many of the projects at the local level.

**Mr. Howard Hampton:** Do you know Michael Decter?

**Dr. Shaun McGuire:** No, I don't know Mr. Decter.

**Mr. Howard Hampton:** Mr. Decter is a former Deputy Minister of Health. He is a departing board

member from eHealth—I want to thank our researcher for digging up his quote—and this is what he said. He said this last December when he announced he was leaving: "A headlong rush to create electronic health records did not serve the organization"—meaning eHealth—"or the taxpayers well."

The headlong rush. In other words, I think what he was saying is that we need to be more thoughtful in our approaches to these things. What do you think?

**Dr. Shaun McGuire:** I agree. I think in order to design a successful system, you need to understand what function it is to have. It's one thing to have an understanding at the technical level, and that's very important, but it's also important to have an understanding of what it is you hope the information system is going to do and to build it in a sequence that makes logical sense.

**Mr. Howard Hampton:** One of the complaints that—well, not a complaint. One of the things that came out of the auditor's report was that people were being paid incredible sums of money for doing things like writing a speech, or incredible sums of money for merely attending a meeting. You're going to be on the board. How do you intend to keep a sharper watch over things like that?

**Dr. Shaun McGuire:** I've read the auditor's report and the suggestions it contained. I think the board has the fiduciary duty to the people of Ontario to manage the resources that are being expended on the project in a prudent fashion. I think that would involve having the necessary information on what is going on come to the board and having the necessary oversight over what is actually going on in the organization in a timely fashion.

**Mr. Howard Hampton:** Well, you've worked in a large health organization where there are many parts—some of them, perhaps, even in competition. How do you think that sort of thing could have happened, where ridiculous sums of money were being spent on things that probably had very little to do with the central project or the real goal and objective?

**Dr. Shaun McGuire:** I really wouldn't be comfortable to speculate on exactly what went on at that level of detail, as I don't really have knowledge of what actually went on at eHealth at that level of detail. I have knowledge of only the summary report from the Auditor General.

**Mr. Howard Hampton:** Okay.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The government? Mr. Levac.

**Mr. Dave Levac:** Doctor, a very simple question, but an important one: Do you believe that it is possible to simply go to a shelf, buy a program, stick it in and say, "We've got eHealth"?

**Dr. Shaun McGuire:** I think that would be a terrific oversimplification of incredibly complicated problems. The health care system is diverse. No two hospitals are the same. No two community institutions are the same. No care delivery systems are the same.

There is a certain philosophy that you adapt the providers to the technology. I personally don't believe that's the correct philosophy. I think the technology needs to



reflect the ultimate purpose it's designed for, which is the effective delivery of care, and have the latitude for flexibility to adapt to what is often innovative local practice. There is a risk in having an overstructured, over-prescribed solution that innovation is stifled.

**Mr. Dave Levac:** Thank you. And further to that, inside of Ontario and indeed across Canada, the experts that speak about eHealth indicate that there would be savings. Do you believe that the work that you've done in eHealth has saved funds to put back into the system for patient care?

**Dr. Shaun McGuire:** I think it's oftentimes difficult to find the direct relationship. But when you think about the types of circumstances that eHealth should avoid—duplication of tests, inadvertent outcomes of care, people becoming sicker because of lack of timely information and those more severe illnesses requiring care with attendant increased resources in the later phases of the illness—it makes sense that this should occur. Finding the one-to-one relationship with that is often difficult because those savings, while there to the system, may not accrue within anybody's individual cost centre.

**Mr. Dave Levac:** With a man of your background, the amount of work that you've done in our health care system and the personal gifts that you have that you've shared with us, we want to thank you for putting your name forward and offering that expertise and that passion that you bring to health care to the province. We deeply appreciate it and I, for one, will be supporting your application. Thank you.

**Dr. Shaun McGuire:** Thank you, sir.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Anyone else?

**Mrs. Laura Albanese:** No further questions. Thank you.

**The Chair (Mr. Ernie Hardeman):** We will then go to the official opposition.

**Ms. Lisa MacLeod:** Welcome, Dr. McGuire, to our committee.

I notice that you went to King's College at Dalhousie. You wouldn't happen to be, by chance, a Maritimer, would you?

**Dr. Shaun McGuire:** I'm, I guess, more or less a citizen of Canada. I grew up in many small towns—Kenora, La Tuque—

**Ms. Lisa MacLeod:** I grew up in New Glasgow, Nova Scotia.

**Dr. Shaun McGuire:** Oh, really?

**Ms. Lisa MacLeod:** Yeah. So does that colour—are you going to be more forthcoming? I saw that, so I just thought I'd ask you.

In any event, I do realize that you are from the city of Ottawa, and I'm pleased to see that you've come forward with a recommendation from Dr. Jack Kitts, who has always been quite helpful to me in talking about electronic health records, among other issues. I know that the city of Ottawa, through the Ottawa Hospital, does have an active, proactive and open eHealth system that maybe you might be able to tell the committee members a little

bit more about, because there is a certain degree of success there, and I understand that you're going to be expanding it. Is it possible for you to let us know a little bit more about that?

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**Dr. Shaun McGuire:** Sure. Briefly, there are two spheres of operation. There's the institutionalized sphere of operation, where we've managed to assemble an electronic architecture that permits viewing of test results, be they microbiology, biochemical, consultative, radiologic, through a single access point to care providers. In addition, they've developed a patient registry in support of that with patient-unique identification.

In the clinical level there are individualized solutions in many of the specialty clinics, but as well there is an integrated solution for primary care in our academic teaching facilities. So quite literally, not to oversimplify it, it's possible, if, for example, you were a patient and you came in to see a provider such as myself, we could sit down in the room, at a terminal, as we discuss—quite literally view your medical record—all of your results and even view images, and have an interactive discussion. It's a work in process. It's been assembled one segment at a time. As one segment comes ready and integration is achieved, it goes through a process of rigorous testing and it goes through a process of provider validation, at which point in time it's brought online. That's been the approach that has been adopted in Ottawa.

Certainly, within the institution, we've met with a measure of success and I'd like to think we're meeting with success in point of view of the demands from providers who are outside the institution to have access to that system.

**Ms. Lisa MacLeod:** For example, right now CHEO and the Queensway Carleton Hospital can also tap into your system. Is that correct?

**Dr. Shaun McGuire:** Yes. And we are getting requests from primary care providers within the Ottawa area that they as well would like to have access to their patient data, the diagnostic data that's contained in that repository.

**Ms. Lisa MacLeod:** Just a quick question, and you may or may not have this information, but I think I'm going to ask it anyway. Do you have a sense of the time frame it took to get you to where you are from its inception, and do you have an idea of cost, of how the Ottawa Hospital's electronic health records system was built upon and based on?

**Dr. Shaun McGuire:** I can't comment to specific costs. I can tell you the issues of cost and time frame are often directly related. Project expansion is often—

**Ms. Lisa MacLeod:** On time and under budget?

**Dr. Shaun McGuire:** Exactly. So in terms of timeline, what I mean to say is the timeline is not necessary solely dictated by the technical challenge. The timeline is dictated by the technical challenge, prioritizing the sequence of addressing the issues in the technical challenge, and having available resources to



implement solutions. To that extent, this project has been going on for the better part of a decade.

**Ms. Lisa MacLeod:** Yes. I congratulate you on that.

I just had one other question, and I'm really pleased that you're here today. Last week, I tabled a private member's bill called truth in government and a lot of it was directly a result of the eHealth issue. What I'm actually interested in seeking your opinion on is, it follows the Ontario Hospital Association's recommendation that hospitals actually be opened up to the scope of freedom of information. So that recommendation is there for hospitals and I'm wondering if you are comfortable commenting on that initiative.

**Dr. Shaun McGuire:** I think that's probably beyond my level of understanding of how the legislative system works.

**Ms. Lisa MacLeod:** It would effectively mean records would be made available to the public. The Information and Privacy Commissioner has endorsed this idea, as has the Ontario Hospital Association, so that there would be more transparency and accountability, but—

**Dr. Shaun McGuire:** Personally, I'm in favour of transparency and accountability. There is always an issue when you're dealing with health care information and the protection of privacy, so I think those are always the two competing issues. They are competing issues even with an electronic health record.

**Ms. Lisa MacLeod:** Right.

**Dr. Shaun McGuire:** How do you protect patient privacy and yet guarantee the providers that need to access it, or the system managers that are charged with administering the system have access to that information—and yet protect the patients who volunteered the information on the understanding that their privacy was being guaranteed?

**Ms. Lisa MacLeod:** Well, thanks very much, Dr. McGuire. It was a pleasure to have you here today.

Just a final comment: It's going to be very challenging for the board of eHealth to restore the public's trust, but you're obviously an honourable person and I wish you luck. You're going to succeed, and that's a point where there's no question. I wish you luck in the road ahead in doing that very important goal of restoring the public's trust. Thank you very much.

**Dr. Shaun McGuire:** Thank you.

**The Chair (Mr. Ernie Hardeman):** I too want to thank you for being here this morning. That concludes the interview, and we thank you very much for taking the time to come here and speak with us this morning, but even more so for putting your name forward to take on this challenge.

I want to quickly speak to the last comment about wishing you luck. I just want to point out that it seems that good luck always comes to people who really work hard. Thank you very much.

With that, that concludes the interviews this morning. The next item of business, of course, is to deal with the

concurrence of the interview. First we need a motion to vote on—

**Mr. Dave Levac:** So moved.

**The Chair (Mr. Ernie Hardeman):** We have a motion to concur with the appointment. You've heard the motion. Any discussion?

**Ms. Lisa MacLeod:** Yes. While I think Dr. McGuire is a perfect candidate for eHealth, the official opposition has been calling for a public inquiry into eHealth for some time now. We're going to continue those calls, and until there's a public inquiry into what happened at eHealth with the \$1-billion boondoggle, we are not in a position to vote for any of the candidates. I just wanted to explain that, given the qualities brought forward by this individual. It is in no means meant to be personal; it is a comment towards the government and their unwillingness to get to the bottom of what happened there. Thank you.

**The Chair (Mr. Ernie Hardeman):** Any further discussion on the motion?

**Mr. Dave Levac:** Recorded vote.

#### Ayes

Albanese, Cansfield, Hampton, Levac, Sandals, Van Bommel.

#### Nays

MacLeod, Yakabuski.

**The Chair (Mr. Ernie Hardeman):** The motion is carried. Thank you very much for that part of the meeting.

For those members who were at our last committee meeting, you may remember there were a couple of questions brought forward that I answered without digging too deep. I would just like to clarify the positions taken at that time and point out why they were done.

At the last committee meeting, there was a question raised by the member from Simcoe-Grey, Mr. Wilson, regarding the starting time of our committee. I'd like to take this opportunity to clarify the parameters of our meeting when the House is in session. The meeting times of all standing committees are authorized by an order of the House for those periods when the House is in session, pursuant to the parliamentary calendar. The currently applicable order of the House is dated Thursday, May 1, 2008, and reads in part as follows: "The Standing Committee on Government Agencies may meet on Tuesday mornings to 10:45 a.m."

The order of the House is clear: The committee may meet in the morning of any Tuesday when the House is in session, starting at any time of the committee's or the committee Chair's choosing.

There is no requirement and there is no practice that the Chair would wait until after prayers or after orders of the day before calling the committee to order. The Chair

will call the meeting to order promptly when the Chair observes that a quorum is present.

While the May 1, 2008, order of the House states that the committee may meet up until 10:45 a.m., as Chair I will continue to follow the practice of all standing committees meeting in the morning and will adjourn our meetings by 10:25 a.m. in order to allow the members time to attend question period.

A further question was raised by the member from Algoma-Manitoulin, Mr. Brown, regarding whether our committee is required to adjourn when the House recesses upon completion of its business during a morning session. The answer is no. It would not be reasonable, and could not have been contemplated by the

House, that every committee authorized to meet in the morning prior to question period should have its planned agenda disrupted every time the House completes its debates earlier than anticipated.

With that notice, I think it was somewhat similar to what I said at the meeting, but we just wanted it on the record to explain exactly why that decision was made. Thank you very much for that.

We will now proceed into the private, closed session, the in-camera session, to review agencies, boards and commissions, and have a presentation from the research officer, Larry Johnston, on the Ontario Power Generation Corp.

*The committee continued in closed session at 0930.*



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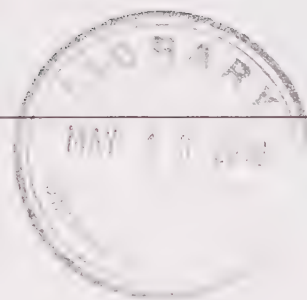
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## Legislative Assembly of Ontario

Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 4 May 2010

# Journal des débats (Hansard)

Mardi 4 mai 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 4 May 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 4 mai 2010

*The committee met at 0904 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** I call the committee meeting of May 4 for government agencies to order.

The first order of business is to say good morning to everyone and thank you for being here.

The second is a motion to approve the subcommittee report of Thursday, April 29.

**Mr. Michael A. Brown:** Mr. Chair, I'm happy to so move.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Any discussion? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MR. RON BOLTON

Review of intended appointment, selected by official opposition party: Ron Bolton, intended appointee as member, South West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** We'll now proceed with the appointments review. Our first and only interview this morning is with Ron Bolton, intended appointee as a member of the South West Local Health Integration Network. Ron, if you would come forward, we will look forward to having a little discussion. We'll start off by asking you if you wish to make a short statement about your wishes and aspirations on the LHIN. At that point, we will have questions from the three parties, 10 minutes for each party. We will start with the government members in this interview, in the questioning, and at the end of that we will conclude the interview.

Thank you very much for coming in and we turn the floor over to you.

**Mr. Ron Bolton:** Thank you, Mr. Chair. Good morning, ladies and gentlemen. I appreciate the opportunity to appear before you today to discuss my appointment to the South West Local Health Integration Network.

I believe you all have an outline of my resumé and my qualifications, but I would like to take this opportunity to

provide some additional detail around the reasons why I feel I'm suitable for this position.

My association with health care includes many relationships with primary caregivers. I have a son who's a doctor. I have a daughter-in-law who's an RN. I have a sister-in-law who is an RN. I have a niece who's an emerg RN. My sister is an RN who has just recently retired from hospital administration in another province in Canada. As well, as I was growing up, around my grandma's dinner table, one of the heroes was an older cousin who was an obstetrician in London who stated near the end of his career that he thought he had delivered somewhere between 25 and 25,000 babies. He said that every male in London worked for him, so I'm assuming that's—

**The Chair (Mr. Ernie Hardeman):** Your family's responsible for the population explosion.

**Mr. Ron Bolton:** So noted.

In addition to this association with primary caregivers, my family has a long history of involvement with governance in a hospital setting. My father, my brother and I were members of the board of directors of St. Marys Memorial Hospital for an uninterrupted period of time that exceeded 55 years, and now carrying on the tradition, my eldest son is currently a member of the board of directors of the Tillsonburg District Memorial Hospital.

During my tenure on the board of directors of St. Marys Memorial, we as a board were proud to become part of the Huron Perth Healthcare Alliance in 2003, which was the amalgamation of the hospitals in Stratford, St. Marys, Clinton and Seaforth. At the inauguration of the HPHA, I was appointed vice-chair and subsequently completed a term as chair.

Although, like any new organizations, we had a few missteps in our initial undertakings, we persevered, and ultimately were successful in several areas of integration, with a few of these being one CEO for the four sites; one HR department for the four sites; one finance department and one CFO for the four sites; one labour force, which allowed us easy transition for employees to move within hospital sites; and the use of one auditor for four sites. We had better allocation and use of operating theatres; we had increased integration with the local CCACs at the time—I understand that has changed; and we had improved efficiencies, which allowed us to balance our budget and which we were happy to do.

These are just a few of the several areas of integration of health care amongst the four hospitals, but perhaps the



biggest success during my tenure as chair of the board was the coming together and support from the four communities to recognize and promote the vision that has resulted in the redevelopment of the Stratford site. This redevelopment, which is currently nearing completion, will improve and enhance services for all of our catchment area, including a new ICU, which is in fact operating now; new, expanded and updated operating theatres; and new, expanded and improved ER and mental health facilities. Recognizing the importance of this regional facility, all communities are looking forward to the benefits that will be available to all of us from enhanced local health care.

Obviously, since involvement with local hospital governance is a volunteer undertaking, I did have a working career. After a period of time with the Ontario Ministry of Agriculture and Food in the district of Rainy River and Lambton county, and then for a period of time as a primary agricultural producer on the family farm, I joined CIBC, providing agricultural financial services to Ontario farm families for a 25-year career. I enjoyed most of it; there were a few days—as a banker, I had the opportunity to serve in many different parts of rural Ontario but always within commuting distance of where I live at the moment, which incidentally is the family farm home in which I grew up. These different locations included London, a couple of times; St. Thomas; Forest; Tavistock; Woodstock; and Stratford, amongst several others.

A considerable amount of my time during my career was spent as a farm loan specialist, travelling throughout rural Ontario, with the most recent tour of duty travelling the area from Windsor to Owen Sound. These travels always involved family farm business visits and always involved community leaders or farm supply businesses and, of course, local bankers. This travel throughout rural Ontario not only gave me the opportunity to meet many, many great people, but it also gave me a good understanding of the wants and needs of many small rural communities as well as the wants and needs of small towns and cities throughout the area. Trust me, closing or changing the services at the local hospital will undoubtedly raise the ire and fury of the local community, but closing their bank comes as a close second.

My career also involved a period of time managing a significant agricultural branch for the CIBC in the heart of Ontario agriculture in Oxford county. This tenure included learning the ins and outs of budget planning, the importance of sticking to a budget, people management, learning to lead by consensus, the importance of customer satisfaction and how to respond to continuing changes within the corporate structure and the local community.

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In the early 2000s, I also enjoyed a position where I had responsibility for the day-to-day management of all agricultural loans that exceeded \$5 million in approved credit for CIBC in all of Ontario. This position not only allowed me to become acquainted with many parts of this great province from Windsor to Ottawa, but it also

demonstrated the success that farm family businesses can achieve by the use of good financial planning, good people skills and integrating and consolidating resources within a well-formulated and well-executed business strategy.

My extracurricular activities have included memberships in the Agricultural Institute of Canada and the Ontario Institute of Agrologists, a proud 25-year membership in the St. Marys Kinsmen Club Service Organization, membership in the chambers of commerce in all of the towns and cities where my office was located, including London and St. Thomas, and various other agricultural organizations throughout Ontario. Currently, I'm a member of the board of directors of the Canadian Agricultural Hall of Fame, which, while national in focus, is located here in Toronto.

Along with my wife, we are the proud parents of four children, who, with their spouses, have given us 6.9 grandchildren to date. May 17 is the next date. I realize that I am not unique in this regard, and like most or all parents, I am very proud of my kids and my grandkids. But I mention my family in this setting only to emphasize that we, collectively, need to understand that we must provide an environment that allows health care going forward to be sustainable and to provide the excellent care that we are accustomed to for future generations. I think I can do my small bit to help in this regard.

To summarize, I would suggest that my background in health care governance, my first-hand knowledge of rural Ontario and my successful career with a major financial corporate entity give me a unique and well-qualified perspective to join the South West Local Health Integration Network. Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As we said, we'll start with Mrs. Albanese.

**Mrs. Laura Albanese:** Thank you for that presentation. We really appreciate you putting your name forward.

I wanted to ask you, do you have any views on how to integrate health care, especially in the South West LHIN and how to harmonize, let's say, the needs of the urban areas with the ones of the small towns in the rural areas?

**Mr. Ron Bolton:** Well, I think we all have ideas. I'm not sure that, politically, we can ever accomplish all that we want to, and I don't mean that politically. Just recently, I attended a meeting in St. Marys about changes to the health care there. The people need to understand that it takes communication, communication, communication, that just because we don't have that facility in your little town doesn't mean that it isn't available for you here—better technology, better service, better-trained people just down the road.

But I like to tell people who say, "Well, we're a long way from anything," that if you live in Toronto, you're 20 minutes from any ER, and when you get there, you're lined up. If you're in London, you could be 20 minutes from any ER. You have to explain to people over and over again that we do have it pretty good and that we're



not giving the city something that you're not entitled to. You show up at their door, and they'll look after you.

**Mrs. Laura Albanese:** Thank you very much.

**Mr. Ron Bolton:** It's not an easy task; I understand that.

**Mrs. Laura Albanese:** Thank you for clarifying that.

**The Chair (Mr. Ernie Hardeman):** Anything further? Mr. Brown.

**Mr. Michael A. Brown:** Thank you, Mr. Bolton.

I appreciate your background. I'm a lad from Lambton county originally, and now I represent—it's smaller than Mr. Hampton's, but one of the large rural northern constituencies, which stretches from Killarney to Manitouwadge. I know about closing banks, too.

Along with my colleague, I happen to also sit on the rural and northern health task force to see how we can provide service in the rural areas and provide a framework to the LHINs for ideas to integrate those services. Sometimes I think to myself—this is perhaps a function of age—that my constituents, if we're talking about physicians, and I know LHINs don't do physicians, all want Marcus Welby, MD, wandering around with the black bag and solving all problems, but when they get really ill, they want House. The problem is finding the balance between the generalist, the family practitioner in the rural area, and finding the ultimate of specialists when you need one.

I think maybe you answered that a bit when you were talking with Ms. Albanese, but if you could expand on that dichotomy that people have: They want every service everywhere, but we obviously can't do that.

**Mr. Ron Bolton:** One of the things that I think has worked very well in some locations—and my experience goes back to HPHA. The physician pool within the four sites understands that there are family physicians and understands that there are specialists, and we have strongly encouraged the family physicians to have really good relationship with the specialists. That's an easier sell than saying to the specialist, "You have to have a good relationship with the family physicians," just because of difference in personalities. But it still works, because if the specialist doesn't have the family physician refer him patients, he doesn't have patients. Now, maybe that's not the right financial model to do this, but that's the way it is.

I found that when we encouraged the physicians, both sides—the specialist within our larger secondary centre and the family physicians and the primary caregivers—they sat together, they had retreats, for lack of a better word, together, and it actually worked that they had good relationships. So then the family doctor could say, "I know this fellow over here or this lady in Stratford, and that's where you need to go next. I can get you there right away." That person then suddenly doesn't want the family physician to do everything.

We also encouraged them to do the same thing with some of the specialists that we use out of the tertiary centre in London.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We now go to Mr. Yakabuski.

**Mr. John Yakabuski:** Thank you very much, Mr. Bolton. I appreciate you coming this morning. I have some questions for you, and I assure you that they're not personal, because I've looked at your CV and I certainly have no reservations about your background or qualifications. I'm sure that the Chair, when you talked about the family farm in Oxford county—he'd consider you a friend.

You know the PC Party and the caucus has taken a position on LHINs, and we're very concerned about the government and its actions surrounding LHINs as well. You know that the Premier had promised a review of the LHINs, made it a mandatory review, and then, when the budget was brought out this year, he, some would say, broke his own law and cancelled the review of the LHINs. What do you think about that? Do you feel that that was something he should have—

**Mr. Ron Bolton:** That's not a personal question. That's a political question.

**Mr. John Yakabuski:** It's about the LHINs.

**Mr. Ron Bolton:** Yes. I'm okay with the question. I'm just teasing you.

I understand that it wasn't cancelled, that it's been postponed. It will take place. I think, like all new organizations, we perhaps didn't move as fast as we thought we could, and therefore, the time to review the LHINs is after we've given them ample opportunity to do the best job they can with integration. That would be my reasoning why I think it wasn't done. The first time we heard about the LHINs and from then until they were enacted—I think they need more time.

**Mr. John Yakabuski:** In your CV, as the board chair for the Huron Perth Health Alliance, you included fiduciary responsibility, and financial overview and accountability. You also have a long background and career in banking, in which making sure the numbers balance is important, and accountability is obviously very important.

If you, as a member of the LHIN, came across what appeared to be or clearly was an untendered contract, what would your actions be? What would you do?

**Mr. Ron Bolton:** I wouldn't want to look at it. It should be tendered.

**Mr. John Yakabuski:** It should be tendered. Okay.

The PC caucus has introduced a private member's bill that would require all public expenditures of over \$10,000 in goods, services, contracts and otherwise, hospitality—that they would have to be posted online. That would allow Ontarians to monitor how the government spends their money. Would you be in favour of that kind of measure? The government opposes it, so your employer's going to be against it, but how do you feel about that?

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**Mr. Ron Bolton:** I believe that in today's world, \$10,000, although a lot of money out of my pocket, is not a lot of money for the government to spend. I think that



we could get burdensome if somebody had to do that, but I'm not opposed to accountability or transparency in government.

**Mr. John Yakabuski:** Okay. Since its creation in 2006—I'm trusting that my figures are correct here, because I believe they are—the number of South West LHIN officials getting paid over \$100,000 has tripled from two to six. During that time, 12.2 million health care dollars have been diverted from front-line care to pay for administrative costs of the South West LHIN: \$12.2 million, taken out of front-line health care which, I think, has to be the primary, paramount concern of anybody involved in health care, including in the LHINs. It has been taken out of front-line health care to pay for administrative costs. How do you feel about that?

**Mr. Ron Bolton:** Not being involved with a LHIN, I'm speaking off the cuff, because I'm not aware of their figures. I would suggest that there were savings made in reduction of personnel within the ministry, because that's where a lot of them, who were administrators in the LHIN, came from.

**Mr. John Yakabuski:** I haven't seen the ministry budget go down.

**Mr. Ron Bolton:** No, nor have any of us, but I'm not sure that it's—

**Mr. Michael A. Brown:** The front line has gone up, not down.

**Mr. Ron Bolton:** I'm not sure I'm qualified to answer the question at this point in time.

**Mr. John Yakabuski:** Fair enough, but do you oppose health care dollars destined for front-line health care being diverted for administrative costs?

**Mr. Ron Bolton:** We can't run organizations without somebody acting as administrators.

**Mr. John Yakabuski:** That wasn't the question—the diversion of front-line health care dollars from the patients to administration.

**Mr. Michael A. Brown:** You have no proof of that. Don't badger the witness.

**Mr. Ron Bolton:** It's okay.

**Mr. John Yakabuski:** I'm not badgering the witness. He didn't answer the question. I've got the mike, here.

**Mr. Ron Bolton:** It's okay. I am not convinced that the numbers you suggest demonstrate there has actually been a diversion that wouldn't have taken place anyway.

**Mr. John Yakabuski:** Thank you. Those are my questions.

**The Chair (Mr. Ernie Hardeman):** Is that it?

**Mr. John Yakabuski:** That's it.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Mr. Hampton?

**Mr. Howard Hampton:** Thank you for an entertaining session. It's not always this entertaining. I'm not sure that's good.

In my part of the province, one of the things that folks are wrestling with—we're already seeing this trend—is the tendency to pull services out of smaller communities and centralize all of them in Thunder Bay. That's becoming a pretty hot political issue.

I think some would probably say London has really been blessed with medical services, one of the leading medical schools in Canada and, historically, some insurance companies that contributed a lot of money to hospitals and the health care infrastructure in London.

How do you avoid a scenario where more and more of the health services in the LHIN become centralized in London, and people, for example, from the Bruce Peninsula have to depend on London for more and more health services?

**Mr. Ron Bolton:** To be quite honest with you, I don't think we can avoid it, going forward. I look at what has gone on in other industries that are not necessarily health care. In the agricultural industry, which I'm familiar with, consolidation of suppliers, consolidation of farm families—it has all taken place. To go back to health care, I have a physician personally who is a recent grad. He's in his mid-30s. He's young, he's vigorous, and he's full of all the things that I would like to have as a physician, but he will tell me up front, "I am a family physician. Our small hospital is not equipped, either in technology, equipment or in personnel, to provide you with the care that you might need if you have a heart attack, a stroke or those kinds of things. We need to get you to a larger centre where they have better facilities, better technology and better-trained people." I don't see how we can avoid that. If I'm in—well, Owen Sound has a significant hospital—but if I'm in Tobermory, and I need care in London, and I'm sick, I'm happy that it's at least in London or Kitchener or perhaps in Owen Sound.

**Mr. Howard Hampton:** The problem for small, local communities is that they're having trouble maintaining the health services that they have historically had, so small communities actually see services that the community was able to depend on for the last 20, 30, 40 years—those services are being moved, taken out. Do you think that's a good thing?

**Mr. Ron Bolton:** I think it's a good thing when a mum needs an obstetrician that she has one available someplace. In the town of Emo, which you're familiar with—my two oldest sons were born there. The closest obstetrician was in Winnipeg or Thunder Bay.

**Mr. Howard Hampton:** Or Duluth.

**Mr. Ron Bolton:** Right. And we had no problems. But I do know that if we cannot encourage—there is not a workload to keep the skill sets for these specialists to be in small towns, so we can't have them.

**Mr. Howard Hampton:** You'll be happy to know that Fort Frances has an obstetrician.

**Mr. Ron Bolton:** Now. These guys aren't babies anymore. I think it's just an evolution of the specialists. I also know, having family members who have recently trained in the medical field, they come out as specialists, not as generalists. An emerg nurse is an emerg nurse. She doesn't want to be a floor nurse; she wants to be an emerg nurse. She wants to keep her skills up, so she wants to go to an emergency that's busy, and in small-town Ontario, some of our emergencies aren't busy with emergency situations. To integrate to something local



that's not that far away—and I know that distances are further in northwestern Ontario. I understand that. But nevertheless, I'm not convinced that we'll ever get an anaesthetist to go to St. Marys and set up a practice. We can't keep them busy enough.

**Mr. Howard Hampton:** Let me suggest another model to you. A very good surgeon in Thunder Bay who specializes in back and knee surgery—more knees now than backs. What he has discovered is, by in effect rotating his surgeries—Dryden, Kenora, Fort Frances—because there's not the pressure on operating rooms, he can actually do more knees by going out into smaller communities than he could if he stayed at the regional hospital in Thunder Bay.

**Mr. Ron Bolton:** I don't disagree with that model. In fact, in HPHA we've done that with ophthalmological surgery in Clinton; most of the ophthalmological surgery is done there. Most of the general surgery is done at Stratford. On our orthopaedic surgery, the wait times—hips and knees are almost all done in Stratford now. To make better use of the ORs, we moved eye surgery to another site. The model—what you're talking about—works excellently, providing there are those facilities and the trained people to back them up—he or she—in those other communities.

**Mr. Howard Hampton:** Providing the LHIN will allow it to continue.

**Mr. Ron Bolton:** In my experience with the LHIN and our involvement through the HPHA, that was not an issue.

**Mr. Howard Hampton:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. That concludes what some might call the grilling. We do appreciate that someone with your qualifications would put your name forward to serve the community and we wish you well in your future endeavours. I'll say hello to Scott when I see him.

**Mr. Ron Bolton:** Thank you.

*Interjection.*

**Mr. Howard Hampton:** Emo Hospital is still there. It's much like your experience. It became part of the Riverside Health Care alliance: Rainy River, Fort Frances, Emo.

**The Chair (Mr. Ernie Hardeman):** Thank you. That concludes the interview.

We only have one interview this morning, so we'll now proceed with the concurrences.

**Mr. Michael A. Brown:** I am pleased to move concurrence in the appointment of Ron Bolton to the South West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Any discussion?

**Mr. John Yakabuski:** I appreciate Mr. Bolton's appearance here today and I assure him that, again, this is not based on his suitability for the appointment but, as you know, with respect to the LHINs, it has been no secret that the official opposition has some serious concerns with the way they have operated. In fact, we have made it clear that should we be elected government, we

would question whether we would continue with the LHINs as they are and whether even to maintain them moving forward.

0930

With the fact that the current government has refused to follow its own edict with respect to a review of the LHINs, we have taken the position that, while it's not a devaluation of the prospective intended appointee—because it's fairly clear that you'd certainly be suitable—until such time as Dalton McGuinty is prepared to follow his own rules, we will not be able to support appointments to the LHINs.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Any further discussion? Mr. Brown.

**Mr. Michael A. Brown:** I am very supportive of the appointment of Mr. Bolton. He is eminently qualified. I think that if the opposition is not in favour of LHINs, they should say so.

This committee is here to vet the appointments of citizens of this province and others to our boards. That is why it's here. It isn't here to discuss the merit of the board; it is here to discuss the applicant. I find the reasoning of the official opposition spurious, if anything. I think that we need to continue to vet the qualifications of the applicants and that trying to vet the organization through good people coming before us is just the wrong thing to do.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your comment. Any further discussion?

**Mr. John Yakabuski:** Well, I would like to comment on the comment, if I could.

**The Chair (Mr. Ernie Hardeman):** No.

**Mr. John Yakabuski:** I'm not allowed to?

**The Chair (Mr. Ernie Hardeman):** No. You can discuss the motion before us, which is the concurrence, and how you want to couch your vote.

**Mr. John Yakabuski:** Well, what was that?

**The Chair (Mr. Ernie Hardeman):** Why he was voting for it.

**Mr. John Yakabuski:** Okay. I'll tell you again. Let me reiterate why we're voting against it. With respect to the comments from the member on the opposite side, I'm pleased to take his comments under advisement. However, when you live in a majority government world where you have little or no power to enforce the will on the government—in fact, all we're asking the government to do is enforce its own will on itself. When it comes to committee, it's one of the few opportunities we have to make clear our dissatisfaction with the conduct of the government with respect to its own promise on the record to review the LHINs, now broken in its budget bill.

We've made it clear: This is not about Ron Bolton. He's a very, very capable appointee. We can see that by his CV. We can also see that by the capable way that he answered questions. He clearly has a knowledge of what's going on in health care and a significant ability to articulate answers to specific questions from members of all sides.



This is also about making it clear that we have taken a position: We will be voting against LHIN appointees as long as the government continues to act in the manner that it has chosen to.

**The Chair (Mr. Ernie Hardeman):** Thank you. Any further discussion?

**Mr. Michael A. Brown:** He raised it, Mr. Chair. I would point out there is a mechanism for the official opposition at the committee or any member of the committee to review agencies. We asked and are about to review an agency report. They have the opportunity to call LHINs here, I believe. If that's what they want to do, they should do that.

How do we know whether they're actually in favour? When you vote against Mr. Bolton, you vote against Mr. Bolton, not against the LHIN. You cannot make that leap of logic. I understand the official opposition's opinion. They do not like LHINs, they would rather that decisions about health care be made in the backrooms across the street at Hepburn or Mowat, or whatever it is over there, in some dark room. We think that it's better to have community people like Mr. Bolton out making decisions about local health care.

**The Chair (Mr. Ernie Hardeman):** Thank you. Any further discussion on the concurrence?

**Mr. John Yakabuski:** Yes.

**The Chair (Mr. Ernie Hardeman):** No, we're not going to keep going back and forth on the same issue.

**Mr. John Yakabuski:** No, no, I know. But we all have reasons why we vote for or against—

**The Chair (Mr. Ernie Hardeman):** And I would just point out that at this meeting, all three parties have an opportunity to say why and how they're voting. They don't have the ability to debate other issues—

**Mr. John Yakabuski:** Exactly.

**The Chair (Mr. Ernie Hardeman):** —which we have reached now. So unless you have something new to add, it's the end of the debate.

**Mr. John Yakabuski:** I'm not going to say I do, even though I have something that—

**The Chair (Mr. Ernie Hardeman):** Okay. Then obviously we have nothing more to add. Thank you very much. The record will—

**Mr. John Yakabuski:** I would not mislead you, Chair.

**The Chair (Mr. Ernie Hardeman):** Okay. If there's no other discussion, we will call—

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Albanese, Brown, Cansfield, Carroll, Hampton, Pendergast.

#### Nays

Yakabuski.

**The Chair (Mr. Ernie Hardeman):** The motion is carried. Thank you very much for your indulgence. Hopefully, as we take our cue from this morning's debate, the next time this happens, just stating one's position will suffice as opposed to having a lengthy debate on the issue that will get us no further than where we ended up.

Thank you very much, Mr. Bolton, for coming in.

That concludes our appointment interviews, so we will now go into closed session to deal with report writing.

*The committee continued in closed session at 0937.*











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# Official Report of Debates (Hansard)

Tuesday 11 May 2010

# Journal des débats (Hansard)

Mardi 11 mai 2010

## Standing Committee on Government Agencies

Intended appointments

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 11 May 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 11 mai 2010

*The committee met at 0904 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** Good morning. We'll call the meeting of the Standing Committee on Government Agencies for May 11 to order. Thank you all for being here.

The first item this morning is the subcommittee report of Thursday, May 6. Can I get a member to accept the subcommittee's report?

**Mrs. Donna H. Cansfield:** I so move.

**The Chair (Mr. Ernie Hardeman):** Discussion on the subcommittee report? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## DR. RACHEL ELLAWAY

Review of intended appointment, selected by official opposition party: Dr. Rachel Ellaway, intended appointee as member, eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** That takes us to the intended appointment review. The first interview today is with Dr. Rachel Ellaway, intended appointee as a member of eHealth Ontario. Is the doctor with us this morning? If you want to come forward and take a seat there.

We thank you very much for coming in this morning. First of all, when you've taken your seat there, we will provide you with an opportunity to make a brief statement to the committee as to your appointment, and at that point we will then have questions from all three parties in rotation, with 10 minutes allotted for each party. We will start the questions and comments, on completion of your presentation, with the official opposition this morning.

With that, we turn the floor over to you. Again, thank you for being here, and carry on.

**Dr. Rachel Ellaway:** Thank you, Mr. Chair. Chair, members of the steering committee, thank you for the opportunity to appear before you today to discuss my interest and suitability to serve on the board of eHealth Ontario.

I think the key question now is not whether we need an electronic health record system for Ontario but how we do it and what happens when we do it. The board, as it stands, currently brings together managers, clinicians

and technologists. These roles are, of course, critical, but as a scholar I cannot boast the same kinds of experience. Instead, I see my contribution as being complementary to the skills already at the table, and I'll give some illustrations of how that will be the case.

I can bring my expertise and experience to bear in five key areas, the first of which is around the use and collection of evidence. Developing e-health for our province involves much more than building electronic health records. It's a complex and challenging undertaking, and there are very significant risks associated with a purely technocratic approach. I can help the board to frame and ground what is done and how it is received, evaluated and validated.

The second one is informatics. Informatics is about not just the technical systems but how humans use them and what happens when they do. I can help to identify issues and opportunities arising from systems development that do not surface from a purely operational or technical perspective, particularly user and organizational reactions to and interactions with health information systems.

The third area is in learning. All systems are learning systems, and making the most of training and development, both around them and directly using health information systems, will be a critical factor in their success. I can assist the board in ensuring we have well-structured, sensitive and aligned education at many levels and in many forms in support of Ontario's e-health programs. I can also help the board with preparing professionals to work and lead in e-health environments. This goes wider and deeper than the how of e-learning down to the philosophy and alignment to e-health at both professional and organizational levels.

Standards: I have worked with a range of educational technology standards, and I am familiar with the standards—or at least some of the standards—required for eHealth Ontario, such as HL7 and SNOMED. I can help the board by drawing on my experience in developing and implementing technical standards, as well as the many underlying issues around standards and interoperability.

The fifth area is in the area of networking. As I stated, I see my background and my professional standing in networks as complementary to those of the existing members of the board. I would look to extend the scope of discourse through my links to academic, educational



and practice stakeholder communities, particularly those that may not be well represented at present on the board.

I'd like to conclude by saying that it would be an honour to serve, if I were asked to do so, and I am happy to take your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As I said earlier, we'll start with the opposition. Ms. MacLeod.

**Ms. Lisa MacLeod:** Welcome to committee, Dr. Ellaway. I appreciate you taking the time to meet with us today.

Just a few brief questions: What has motivated you to seek this appointment? I notice in your background that many of the grants that you've worked on do speak to the need for electronic information, such as iDeal. You've got another one here, Inukshuk Wireless, creating inter-professional virtual patients. I'd be interested to know a little bit more of that sort of innovation.

Looking at the sums of money, one was a \$2-million project and one was \$65,000. As you know, we spent over a billion dollars at eHealth with nothing really to show for it. So it would be interesting, with the limited budgets and the success it appears that you've achieved, how you think that could translate and why you were motivated to seek this appointment.

**Dr. Rachel Ellaway:** I'll answer the motivation question first. There are a number of reasons. It's partly because information systems and the opportunity to use information systems is one of the things that fascinates and draws me through my academic career.

0910

E-health is a huge opportunity, but I've seen it stumble on many occasions. You'll be aware of the situation in the United Kingdom, which has had some troubles as well. One of the things that strikes me, one of the key issues, is that we often miss the human issues. We look to implement a technical solution, an object that has the business switches, but that doesn't necessarily achieve the goals because the goals are intrinsically human.

Through my work—and I hope that shows through my CV—it's the human dimensions of technology that interest me. That's one of the things that really draws me to act in some way within this project.

Regarding the question about scale and success, certainly I wouldn't suggest that e-health for Ontario could be done for \$65,000. The kind of money that we deal with in educational technology and education, as a whole, is never anywhere near, by several orders of magnitude, the kind of money that's available and will be used in this kind of environment. I fully acknowledge that I don't have the experience in those kinds of large projects, but I know that other people in the board do have that. But what they don't necessarily have is my experience in the informatics side, the human dimension and the educational side. As I said, I strongly believe that every information system is an education system.

In terms of the innovation and the success of the projects, again, they are down to paying attention to the human dimension. They are down to ensuring that tech-

nology is an enabler. It's there, it's present, but it's not the key focus. It's still about people working with people.

**Ms. Lisa MacLeod:** Interesting. It leads me to two questions I wasn't expecting to ask. One is, have you seen a system anywhere in the world that has added that innovation with the human systems that's working and that has cost us less than \$1 billion, or it's working and it has cost us that, but it's effective? Is there any nation right now or any state that might be doing this?

**Dr. Rachel Ellaway:** "Working" is an interesting qualifier. I was with you until you said "working." One of the key things is that these things are intrinsically processes; they're not artefacts that can be delivered, plugged in and then the job is done. Therefore, anything that has been done—and I'm thinking, for instance, of Australia. Australia has been using electronic health records for several decades now, and pretty successfully.

One of the key things that happens when you use electronic systems—and I'm sure that you use phones and computers in these kinds of environments—is that as soon as you start using a technical system, you start getting changed by it. So it's not that there is a pre-defined set of goals that can be fulfilled; it's that the goals actually change and develop as the system is used.

So "working," in terms of operational, in terms of delivering benefits—absolutely; "working," in terms of a finished, resolved set of situations—unlikely to ever happen.

**Ms. Lisa MacLeod:** Let me just say, Dr. Ellaway, that one of the biggest challenges eHealth has right now is not only getting electronic health records, which you acknowledge is only part of what their job is to Ontarians, but also to restore public trust and gain back the confidence of Ontarians who feel betrayed—the question of ensuring that cost is kept in line, that not only budgets are met, but that time targets are also achieved.

I'm just wondering if you've familiarized yourself with the Auditor General's report and if you have any comments about how, as a board member, you would improve upon some of the issues that you saw there.

**Dr. Rachel Ellaway:** Yes, I have read the report; it was very interesting, and I was struck again by how many of the issues the auditor was getting to, that although they were largely around fiscal and process, they largely exposed issues of the human dimension. I'm thinking, for instance, of some of the criticisms around the uptake of the SSHA's email system, that although there was a spend and there was infrastructure put in, one of the key findings was that people didn't value it. They didn't recognize that there was any benefit to them using it and indeed suggested that they found it a hindrance, in some cases.

Certainly, from my perspective, I would look to either pre-empt or when those issues are starting to surface, to be able to pay attention to them and to draw them into the mix, so that we're not just looking at purely budget sheets but at the human dimension, as well.

**Ms. Lisa MacLeod:** Just one final question. Obviously, because of the auditor's report, there is a great



deal, as I mentioned, of expectation. How would you balance those expectations by doing things the right way through the new protocols established by the Legislature and getting things done effectively, so that we are meeting targets and there are electronic health records in Ontario?

**Dr. Rachel Ellaway:** Not being party to the actual business of the board, I can't say exactly what has been done so far. But I would certainly look to ensure that there are key performance indicators that cover not just process and fiscal objectives, but also things that may have meaning to the stakeholder communities: goals, consultations, involvement and seeing values reflected in what is going on.

If you think about the analogy of a tool, a screwdriver fits to your hand. A screwdriver that doesn't fit to your hand is of no use. I would look to ensure that we do have measures and a reflection of those key issues that do represent the human alignment between what is done and what we're trying to achieve.

**Ms. Lisa MacLeod:** Thanks very much, Dr. Ellaway.

**The Chair (Mr. Ernie Hardeman):** Thank you very much.

Mr. Hampton. No questions?

The government.

**Mrs. Donna H. Cansfield:** Thank you very much, Dr. Ellaway, for coming in and for putting forward your name to stand for this. I was struck by the fact that you walked in with your computer and we're still shuffling paper.

**Ms. Lisa MacLeod:** We've got too much paper on our desks right now.

**Mrs. Donna H. Cansfield:** It's amazing, isn't it? Maybe we'll end up in that digital era at some point.

I wanted to ask you a question. I think what you've hit on is that we have technology, and how we use it and how we actually trust it influences our decision-making processes. One of your studies—I just wanted to know if you could share with us what you learned—was about the phenomenon of educators refusing third-party digital materials in the for-learning objects. Having spent a number of years in that particular field and knowing how resistant people are to change—it's often educators, because we're so used to our books and erasers and chalk—and how we've moved on and how difficult that has been, I would be very interested in your general idea of how you think that application might be applied from what you've learned from that study.

**Dr. Rachel Ellaway:** Absolutely. We identified a number of key factors, but I'll just draw a few that I think are relevant to the eHealth Ontario project. A key one was risk. Individuals considered that their professional standing was at risk by using digital materials that in some way denigrated or removed from their expert status: Other people had done what they could do, and by using other people's materials, they said, "Well, I'm just as good as them; I'm not necessarily the world's expert on X."

I think that may translate to the eHealth Ontario environment, particularly with specialists and physicians who have particular working processes. Being required to move to a cookie-cutter approach, particularly if that may actually affect their ability to practise or practise safely, is a major concern. We did see that in the United Kingdom, for instance.

Another key issue was around copyright and rights. I don't think that necessarily applies quite as well to eHealth Ontario, because it's not about whether this is copyright, but I do think it goes down to things such as information security and trust in a system that is not in some way going to expose them.

There's a phenomenon, which has been recognized with electronic health records systems, that any kind of note, any kind of entry into the system intrinsically becomes part of the record, and many physicians may or may not have some reluctance to having that level of scrutiny, that level of track on everything they've done. Assuming that all of you use computers—I won't ask, but let's assume that you do—you may have done a Web search and you probably used Google, which means that Google knows something about you. There's that same phenomenon of risk and uncertainty around what the system is doing about me and around me that creates real hesitancy in any kind of professional.

The third one is just in terms of usability and flexibility. People have established working practices in teaching; they do things in certain ways. They can adapt, but by and large they have a familiarity with how they do things. Digital materials can be very disruptive. Digital systems—electronic systems—can be very disruptive, not just because they may do things well, but do things differently. They may miss nuances; they may miss structures that are important, either as a personal value or in terms of assuring the process runs as it is supposed to.

I think all of those were clearly identified in terms of electronic material reuse, and again, I think they will at least potentially apply in quite a lot of measure to the eHealth Ontario environment.

**Mrs. Donna H. Cansfield:** Could you draw a conclusion from your work—I'm just thinking about banking and its issue around security; the use of computers is phenomenal. Obviously, there's risk management in that initiative or undertaking. Is there a greater reluctance to walking into the digital world in the field of medicine than there is in some other fields?

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**Dr. Rachel Ellaway:** I don't think so, no. If you actually observe doctors, by and large they are very digitally interested; many will implement their own systems. Indeed, that's one of the challenges, that there are systems being implemented in local environments that already challenge a more integrated model. So I don't think it's an issue that there is a reluctance around digital materials; I think it's more about control and authority and being able to make sure that you can do things the way you need to be able to do them, rather than necessarily having to do it in a certain machine-like way.



Banking is very structured, and you can define the rules. You can say, "This transaction happens in this way, and only happens in this way." Once you start doing that in health care, you have to involve physicians to make sure that that algorithm you're applying is actually safe and meaningful, but also, you have to ensure that you're not inadvertently adding something dangerous or inappropriate to the system. A classic would be, for instance, making "no known drug allergy" a default in a system, so that just by not entering it, you're making an affirmative statement that the individual does not have a drug allergy rather than saying "unknown." It's little details like that, but they're very important. Banking doesn't necessarily have that level of nuance.

**Mrs. Donna H. Cansfield:** Thank you, and I wish you well.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That does conclude all the time for the interview. We thank you again very much for coming in and we wish you well in your future endeavours.

**Dr. Rachel Ellaway:** Thank you all very much.

#### MR. COLIN HESLOP

Review of intended appointment, selected by official opposition party: Colin Heslop, intended appointee as member, College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** Our second interview is with Colin Heslop, intended appointee as a member of the College of Trades Appointments Council. Thank you very much, Mr. Heslop, for attending this morning. As we mentioned with the previous individual, we will ask you if you wish to make an opening statement, and upon conclusion of that statement we will have 10 minutes for each party to ask questions and get a better handle on your presentation. We will start the round this time with the third party.

With that, again, thank you very much for coming in, and the floor is yours to make your presentation.

**Mr. Colin Heslop:** Members of the committee, I'm pleased to be here. I'll use scribbled notes, but I do use a computer. I'm good with a computer but I feel more when I write something—right?—I feel part of it.

I'm pleased to be here to provide you the opportunity if you have any questions that you may want to ask me with respect to my intended appointment to the Ontario College of Trades Appointments Council.

I would like to cover a few points that may raise some questions for you. I'd like to cover some of my past and present skill trades and apprenticeship work involvement and knowledge that I believe, if appointed, would benefit the appointments council during the transitional phase of the college.

I served a full electrician apprenticeship in England, and I've worked as a qualified electrician in England, Australia, the United States and Canada. I have been involved with apprenticeship training and mentoring to various degrees in those countries. In Canada, I hold my Ontario 309A construction and maintenance certificate of

qualification with a red seal standard; also my 309D, which is electronic control; and my 442A industrial electrician's licence. I attended night school at Mohawk College in Hamilton in the late 1980s to obtain my 309D electronic control certificate—licence. I recognize and understand the roles of the community colleges and training providers; learning and training doesn't stop once you've completed an apprenticeship.

In more recent and present times, I have worked for the CAW, the Canadian Auto Workers, as a skilled trades education coordinator responsible for developing and delivering education programs to skilled trades and apprentices, including a program for women in trades, an awareness program for women to consider an apprenticeship and a trade as a non-traditional career choice.

I have been appointed by government, industry and labour to various apprenticeship committees, councils and boards such as the Industry Training Authority, ITA, in British Columbia and the Ontario Council for Automotive Human Resources, CAHR. I'm a member of Canadian Labour Congress and Ontario Federation of Labour apprenticeship committees.

In 1996, I was appointed by Minister John Snobelen—Conservative government—to the electricians' provincial advisory committee, PAC. As we know, the PACs will be phased into the trade boards under the Ontario College of Trades in the coming months.

Also, through the New Democratic government in the 1990s, I was a participant and had roles with the Ontario Training and Adjustment Board, OTAB. There was \$32.5 million in funding for the Ford Motor Co. in Oakville, and I was responsible for skilled trades training and establishing a technical training centre at the Ford facility in Oakville.

Since 2005, I have been the CAW national director of skilled trades, representing over 20,000 skilled trades across Canada: journeypersons and apprentices, the majority of whom work in Ontario in the industrial, service and motive power sectors. The department establishes policies and standards and directs the affairs of the skilled trades and apprentices. We have a staff of five people.

I also have bargaining responsibilities. Apprenticeship training and broad-based opportunities for apprenticeship, including for women, are always key demands on our bargaining table. We've been successful, in the last few years, in bargaining over 800 apprenticeship opportunities in various trades at major Canadian Big Three auto companies. We've also been successful in other sectors where we have skilled trade workers in establishing apprenticeship opportunities.

Due to the economic downturn in the manufacturing sector, we have worked with the Ministry of Training, Colleges and Universities; with other groups, adjustment centres; and with corporations in identifying and merging traditional classifications into newer classifications because of the downsizing of skilled trades—difficult situations, issues with that, but we were able to move forward and complete that.



Also, we have been involved at the CAW with emerging trades within the rail industry; for example, railway car technician, which was first established in Ontario and now we're working with the governments of BC and Alberta to implement that new trade as well.

Just as there is with my work, there will be other issues that need to be addressed with the college of trades, and I'm sure that working together with all stakeholders in a collaborative manner, not in a pure representative capacity as these committees and councils require, but through skills, experience and knowledge, I believe we can address the issues and be able to move forward with the skilled trades and apprenticeships that are so important to a thriving economy in Ontario, as well as the rest of Canada.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We'll start with Mr. Hampton.

**Mr. Howard Hampton:** I'm always interested in why people take on these chores. Why did you take this on?

**Mr. Colin Heslop:** I've been doing similar chores for quite some time. I really like being a tradesperson. I loved doing my apprenticeship. I believe it's a worthwhile career, and I believe the added benefits for people to consider the skilled trades or apprenticeship—it's a worthwhile career, a good career, a good-paying job and interesting. The opportunity to be involved with the development and implementation of such things as a college of trades or skilled trades, education and training programs at the floor level while it's being developed is very interesting to me. I love it; I enjoy it.

**Mr. Howard Hampton:** You're certainly getting in at the floor level. In fact, some people would say that there are a lot of challenges facing the organization. In some respects, for at least the next year you have to be almost all things. How do you see that happening? How do you see the council doing all those things in the short run?

**Mr. Colin Heslop:** I think the key thing is a collaborative working relationship. You have to leave your hat at the door per se to address the issues for the common good and the broad-based requirements of the council.

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I believe that the correct people on the council, and then into the college of trades and into the divisional boards and the trade boards etc. are key. I believe there is a desire to make apprenticeship work in Ontario better than how it has been working. I'm positive. My glass is always half full. Again, there are difficulties—personalities; some stakeholders have certain issues. But hopefully, working together collaboratively, you can get through those issues.

I had the situation working in the ITA in British Columbia, on an ITO board there; that was the first one with labour representation. Prior to that, the British Columbia government was just using industry boards. They felt there was a need for more broad-based recognition as a reflection of the province, which included labour.

I was appointed to that with another labour person and we worked very well together with the boards, with

industry, with management. And now, other ITOs in British Columbia are also providing that voice for labour, because they have a commitment, they have a passion for apprenticeships, they have an understanding of apprenticeships and trades and they have something to add to it. I think that will be mirrored, I would imagine—hopefully—with the college of trades.

**Mr. Howard Hampton:** I don't pretend to be an expert on this, but I do know there is, shall we say, some debate, some discussion around apprenticeships and how apprenticeships should be structured in Ontario. How do you see the board addressing some of those issues?

**Mr. Colin Heslop:** Again, collaboratively working together. There's the adjudicator process, which can really help, and I think that is a good provision of the act, where you can address some of the harder issues that have been out there for many years, such as ratios, for example.

It's key to get the experts on the subject matter on boards or committees who are committed to making the apprenticeship system work. I believe it can work. We have to forget some of the old issues and we've got to look at the issues and move forward.

**Mr. Howard Hampton:** When you say you have to forget some of the old issues, what would you describe those as?

**Mr. Colin Heslop:** Old issues such as the ratios, adversarial approaches between the different stakeholders, length and term of apprenticeships, recognition of emerging trades.

**Mr. Howard Hampton:** Do you think the issue of ratios is going to go away?

**Mr. Colin Heslop:** I think there's always going to be some form of ratios, but as long as you've got a journey-person training an apprentice or mentoring an apprentice, that's good, whatever that number is, whether it's one to one, three to one, five to one or eight to one. It varies, I would imagine, depending on the amount of tradespeople available in that trade; looking out into the future, what the attrition will be for that trade, what the needs are for that trade.

You certainly wouldn't want to see a ratio, I don't believe, where you have more apprentices than tradespeople. I was at an apprenticeship conference two weeks ago in British Columbia and they had one employer out there that employed 71 apprentices and one tradesperson. That's a ratio that's not good. The finished product—the qualified journey-person at the end of the day will not be there through that sort of apprenticeship training. But they are taking steps to address that.

There are issues with ratios. They're out there, but they need to be addressed fairly and according to the trade or the sector or the industry. I believe the structure of the college of trades, recognizing the four divisional boards, can address that and put that forward to the governing board.

**Mr. Howard Hampton:** In most workplaces that I've been to in the last year or so, what I hear being repeated over and over again is, "Most of our skilled trades are in



their late 40s, their 50s. They're going to be retiring soon. We're going to have a real problem in terms of replacing skilled trades." Do you agree with that?

**Mr. Colin Heslop:** Yes. But that's been around for quite some time. I remember Jane Stewart on the front page of the papers, I think it was in 2001: "We're going to be one million tradespeople short within 10 years." We're basically there now. In British Columbia, at that conference—there's a 160,000 shortage of skilled trades over the next five years. The workforce is older. It is retiring. Some people are staying longer in the workforce, but one of the main problems across Canada is that the opportunities are not there for apprentices. Employers are not taking on apprentices. I believe that if we can find a way to revitalize apprenticeship programs in all sectors and provide those opportunities, we'd be able to create the apprenticeship programs needed for the industry, and then eventually for the tradespeople, once they graduate from the apprenticeship program, to go into that industry.

There will be a shortage, but on the other hand, in Ontario we have the shortage that was predicted, but we've also had a manufacturing economy that's been struggling and a lot of plant closures, which has resulted in a lot of skilled trades being laid off. They're adjusting themselves within the workforce.

But we are getting older. Me too.

**Mr. Howard Hampton:** Thanks very much.

**The Chair (Mr. Ernie Hardeman):** Thank you. The government: Ms. Cansfield.

**Mrs. Donna H. Cansfield:** Just to thank you again. We're delighted that you've put your name forward. I have no questions. Thank you very much.

**Mr. Colin Heslop:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Ms. Pendergast.

**Ms. Leeanna Pendergast:** Good morning, Mr. Heslop. Thank you for being here this morning, and thank you for your presentation.

I'm noticing in your CV that you were with the CLC and the OFL for five years working on increased opportunities for apprenticeships. I'm also noticing that over 10 years, you were involved with McMaster student nursing outreach. I guess I'm asking if you could elaborate for us, please, on your involvement or what experience you would bring to the table either with those groups or from your experience in the UK, Australia and the US in terms of engaging youth. You've mentioned your relationship with women and engaging women in the skilled trades, but what experience might you bring in engaging youth in apprenticeship in terms of—

**Mr. Colin Heslop:** Well, the Mac SOC outreach is for homeless in Hamilton. It's student nurses who go out and provide assistance to the homeless and near-marginal-housing homeless people, so not so much with the youth or apprenticeships there.

But what we have done and what we've engaged with youth—we go to the CAW, we go to colleges and we go to secondary schools and provide presentations to the youth for them to consider a skilled trades apprenticeship. Through the CAW Family Education Centre in Port

Elgin, we've also provided classes for the Assembly of First Nations women and daughters to consider trades as an apprenticeship. We've been doing that initiative for the past six months. We promote broad-based apprenticeships where we have women in skilled trades, when 20 years ago there were none. We now have a reasonable amount—not a great amount, but at least we have broken that barrier per se, and women and youth are provided opportunities to go into a trade.

Also at the bargaining, we've bargained collective agreements where we will take ratios—this is another form of ratio—of so many from inside the plant, where existing workers can apply to go into an apprenticeship program, and the others will come from the youth in the communities so that they provide opportunities for the youth.

But youth is key. I support the opportunity for youth to get into apprenticeships.

**Ms. Leeanna Pendergast:** You said that you made presentations in secondary schools as well?

**Mr. Colin Heslop:** Yes.

**Ms. Leeanna Pendergast:** What would happen if you came into my school and presented to students and they were very interested in what you had to say? What would the follow-up be? How do you then engage them?

**Mr. Colin Heslop:** Because of the lack of opportunities that I touched on earlier—that's one of the issues out there, the opportunities. The employers are not taking on apprentices. The awareness is there now. There are youth who want to enter apprenticeships. I normally start off and say, if it's in Ontario, that, due to the economic situation that we're in, it's very difficult to find apprenticeships, but if you are interested, it's a worthwhile career. I would then explain that and give advice on how they would try to find an apprenticeship program and then go through the benefits of being a journeyperson, a tradesperson; the community college; the requirement of training; the support of red seal mobility, that if you have a trade that is recognized as red seal, then you have the opportunity of mobility to work throughout Canada. Also, there's international recognition of standards that are recognized elsewhere so that you can travel, that it's a worthwhile career.

I'm probably living proof that you can travel being a journeyperson or a tradesperson. If I hadn't started my apprenticeship and completed it—which is important, the completion of the apprenticeship—then I wouldn't be here today.

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**Ms. Leeanna Pendergast:** I suspect that once they meet you, sir, and you model what you're asking them to do, they're probably engaged at that point.

**Mr. Colin Heslop:** I'm living proof that it's a worthwhile career and that opportunities are there.

**Ms. Leeanna Pendergast:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Ms. MacLeod.

**Ms. Lisa MacLeod:** Welcome to the committee, Mr. Heslop. I appreciate you taking the time to meet with us today. I have a couple of quick questions for you.



Just to pick up and expand upon my colleague from the third party Mr. Hampton's questions about apprenticeship ratios, I'm wondering: Do you think they need to be lowered or maintained? You did talk about sector by sector, but in general, do you think they need to be lowered?

**Mr. Colin Heslop:** I think, as I said, the individual sector should look at that, because they have issues that are peculiar to their sector. But generally speaking, if there's a shortage of skilled trades and it's justified and you can prove that, then obviously I believe that the ratio should drop and then be reviewed. I believe there are provisions and consideration for the college of trades to look at it on a four-year cycle, which makes sense.

What we do within the CAW where we have apprentices is we have joint apprenticeship committees that do attrition predictions over the next five years. If we have six electricians retiring at 65—I know that now you don't have to retire at 65—then we start five apprentices so that when the journeyman retires, then the apprentice will graduate and fall in.

I think you have to try and tie in the attrition rate, what the need is, and adjust the ratio. Again, you don't want a ratio that's out of whack, where the apprentice isn't receiving the proper ongoing training and mentoring.

**Ms. Lisa MacLeod:** In Alberta right now, in most of their fields, their apprenticeship ratio is one to one. They also have a very good safety record, by many accounts. I'm just wondering what the difference is and why there is a difference in Ontario.

**Mr. Colin Heslop:** Well, some places would have one to one. You can bargain that, right? What does Alberta have—60,000 apprentices? They have quite a large number of apprentices there. But if you go to BC, where they've got the situation where there are more apprentices than journeymen on the shop floor, they've only got, say, 25,000 with a similar population. Alberta is a booming economy, obviously with oil resources, natural resources, probably the fastest-growing economy. It's sluggish somewhat now, but it will pick up again. Their need and their projections for future skilled trades are probably greater than, say, in Ontario, because of our manufacturing base. Maybe a ratio in Ontario would be different to Alberta's because of the needs in that province for journeymen.

**Ms. Lisa MacLeod:** I reviewed your CV in great detail, and I appreciate you providing that to the committee. I just want to be clear: You work with the CAW.

**Mr. Colin Heslop:** Yes. I'm the national director of skilled trades.

**Ms. Lisa MacLeod:** Now, I notice on your resumé as well that you work with the Canadian Labour Congress and the Ontario Federation of Labour, as well as ACORN.

**Mr. Colin Heslop:** No, I'm appointed to the apprenticeship committees of the COCA and the OFL.

**Ms. Lisa MacLeod:** Okay, so you work with them?

**Mr. Colin Heslop:** I believe it's phrased there as "such as" appointments. Some are industry, some are government, and some are through labour.

**Ms. Lisa MacLeod:** And you worked with a group called ACORN?

**Mr. Colin Heslop:** ACORN? Did I work with ACORN?

**Ms. Lisa MacLeod:** Yes.

**Mr. Colin Heslop:** What we did was a wonderful thing. With Hurricane Katrina, back in 2005, as we know, New Orleans was devastated. Within the CAW, not to wander off too far, but we have a strong social conscience, and we believe that our lives extend beyond the plant gates and collective bargaining and that we can offer some sort of support to people in need. What we did through the skilled trades department is we located and identified 70 skilled trades volunteers who gave up their time. We went to New Orleans and we constructed seven homes in the ninth ward of New Orleans. To be able to construct these homes that were damaged, nearly destroyed, by Katrina, we had to get permits and licences, so we collaborated and worked with ACORN, which you've probably heard about; it's a community organization. They were able to identify and get the permits, because you needed somebody in the United States. We had a working relationship where they identified homes, and we reviewed those homes to see if they were suitable. We provided the labour, the materials etc. ACORN provided the licences and the permits.

**Ms. Lisa MacLeod:** I see. So there's a strong working relationship there between the CAW and ACORN?

**Mr. Colin Heslop:** On that project. We're not continually working with them on every issue, but we work with a lot of different organizations. If we can help people, then we'll work with people.

**Ms. Lisa MacLeod:** Now, as you're probably aware, the CAW donated about \$200,000 to the Working Families Coalition, which also seems to be the driving force behind this legislation, that partnership of working families. They're considered friends who helped draft the rules, and by many accounts some believe that it's excluding people. You talked a little bit earlier about the different stakeholders that you're going to need to talk to, and I'm wondering who you define as the different stakeholders that you would have to work with. And, given the number of labour groups that have contributed to the Liberal Party, do you believe that they should be part of this—

**Mr. Colin Heslop:** Sorry, can you say that again? I just missed it—a little bit too quick.

**Ms. Lisa MacLeod:** Sure. There are two questions there. Who do you think are the different stakeholders? And the second question is, given the number of labour groups that contributed to the Liberal Party, do you think those contributors should be part of this board?

**Mr. Colin Heslop:** I believe—

**Ms. Lisa MacLeod:** And if I could tack on just one final question, what do you think the role of business is—

**Mr. Colin Heslop:** I should write this down, because I only have a memory capacity of two questions. But to answer the two questions: First, on the stakeholders, the



stakeholders would be industry, government, academia and labour.

**Ms. Lisa MacLeod:** And you would consider industry as business as well.

**Mr. Colin Heslop:** Industry, I class as business, yes.

On the other piece, about people who contribute to the Liberal Party: If they contribute to the Liberal Party, that's their choice, but I don't see how that would reflect with the college of trades. I think it's based on knowledge, skill and experience, and what contributions an individual can give.

**Ms. Lisa MacLeod:** Mr. Heslop, just to go back, then, to your stakeholders, what kind of composition do you believe the college of trades should have in terms of those four groups: industry/business, government, academia and labour—the composition of this board?

**Mr. Colin Heslop:** I think how it's laid out in the act, in the numbers, is pretty fair. The trade boards, I believe, are two employees from labour, two from industry/business. I don't know the final composition, all the people who have been put forward for the appointments council. I know there are people from labour, which is very important there. Again, you hang your hat at the door, but when you have a committee working together collaboratively, you've got to recognize all the stakeholders around apprenticeship and training, and that includes labour. I know some people, like in BC earlier on, didn't wish to have labour, but they recognize it's a benefit. They do have labour now and it's working well, provided you get the right people.

**Ms. Lisa MacLeod:** Just one final question, back to the Working Families Coalition and the activity in which they've been engaged in previous elections: Do you think those organizations who were involved with Working Families and have taken a position in elections to assist one political party over two others should have representation on this board?

**Mr. Colin Heslop:** I believe that if a person has the skill, the knowledge, the experience, the commitment, the passion for trades and apprenticeship, they should be on the board. I think political affiliations and so forth are something else that people are entitled to, but it should not interfere with their work on the board. They shouldn't be in a representative capacity, that position.

**Ms. Lisa MacLeod:** Thanks very much, Mr. Heslop.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation this morning and for being here and enlightening the committee. We thank you very much and we wish you well in your future endeavours.

**Mr. Colin Heslop:** Thank you. It was a very good process. It strengthens the whole system.

**The Chair (Mr. Ernie Hardeman):** Our third and final interview for today is Hugh Laird, intended appointee as a member of the College of Trades Appointments Council. I'm not sure whether Mr. Laird is presently in the audience.

**Ms. Lisa MacLeod:** We're a little early. Do you want to recess?

**The Chair (Mr. Ernie Hardeman):** The delegates—it is suggested that they arrive early. The actual appointment for Mr. Laird was at 10 o'clock. With the committee's consent, we will recess and take a coffee break until 10 o'clock to make sure we give the applicant every opportunity. I understand from his office that he is on his way.

*The committee recessed from 0950 to 1002.*

## MR. HUGH LAIRD

Review of intended appointment, selected by official opposition party: Hugh Laird, intended appointee as member, College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** We'll call the committee back to order. I would just point out that our third and final interview today is with Hugh Laird, intended appointee as a member of the College of Trades Appointments Council. I believe Mr. Laird is now present, if you wish to take a seat at the front there.

First of all, we very much appreciate your agreeing to come to the interview this morning. As we do with all our appointees, we will ask if you wish to make a brief opening statement. Upon the conclusion of that opening statement, we will then have questions and comments from the committee members. This time, the commencement of the questions will be with the government side.

With that, again, thank you very much for being here. The floor is yours to make your presentation, Mr. Laird.

**Mr. Hugh Laird:** Thank you very much. I would like to thank the Standing Committee on Government Agencies for the opportunity to speak today with respect to my intended appointment as a member of the College of Trades Appointments Council. By way of an introduction, my name is Hugh Laird and I'm the executive director of both the Interior Systems Contractors Association of Ontario as well as the Interior Finishing Systems Training Centre, located in Vaughan, Ontario.

The Interior Systems Contractors Association of Ontario was incorporated on September 1, 1971. Originally, it was incorporated as the Drywall Association of Ontario. In 1980, it was renamed the Interior Systems Contractors Association. We employ approximately 20,000 construction workers in several trades: drywall and acoustic, thermal insulation, eaves, asbestos removal, drywall taping and plastering, fireproofing, residential steel framing and mould.

ISCA plays a major role in the negotiation of collective agreements with the carpenters and painters. As part of the EBA, ISCA is responsible for the negotiation of both the ICI and residential agreements. ISCA also, while working with its partners in labour, operates the largest apprenticeship training centre in North America. The training centre, known as IFSTC, trains over 300 new apprentices every year in four different trades, and upgrades 4,000 journeypersons annually.

It is this keen interest in apprenticeship and development of skilled trades that has led me to this committee today. I have a long history of supporting trades training



in Ontario and felt that I had something to offer the newly formed college of trades. It is with this in mind that I submit my name for consideration.

While I appreciate the politics of the appointments process, I would like to point out that over the past 37 years, I have had the privilege of working with all three political parties. All three parties have formed governments, and all three have been keenly aware of the work that ISCA and IFSTC have done to promote the skilled trades within the province.

It has been a privilege to serve the industry, and it is an honour to be considered for the appointments council so that I can continue to serve.

Again, I would like to thank you for the consideration and welcome any questions from committee members that you should have.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. Again, I apologize for rushing you on arrival and putting you in the chair immediately.

**Mr. Hugh Laird:** I had a few hiccups getting here.

**Ms. M. Aileen Carroll:** Me, too.

**The Chair (Mr. Ernie Hardeman):** With that, we will turn it over for questions from the government caucus.

**Mrs. Donna H. Cansfield:** We understand that the traffic was a bit difficult.

**Mr. Hugh Laird:** It was, yes.

**Mrs. Donna H. Cansfield:** One of our colleagues had a lot of difficulty as well.

**Ms. M. Aileen Carroll:** I thought I supported infrastructure.

**Mrs. Donna H. Cansfield:** Thank you very much for putting your name forward. I was curious: One of the challenges we have is actually reaching out to our young people to get them engaged in apprenticeship in the first place. We have this feeling that every child needs to go to university as opposed to looking at the trades as a viable option.

You've obviously had a great deal of time that you've spent with students, with apprenticeship over the years. What do you think you've learned that you'll be able to bring to the college in terms of helping in an outreach capacity?

**Mr. Hugh Laird:** We were one of the first groups to hire a full-time outreach person. What this person does is he goes to some colleges, mostly high schools and ethnic groups to promote apprenticeship and to try and get apprenticeship back to where it was 30 or 40 years ago, where a kid would come out of high school and serve a four- or five-year apprenticeship. We kind of lost that about 30 years ago, I would guess, when the school system got rid of all the technical schools, and everything went computer. We thought it was wrong then. We still think it's wrong. Hopefully we can get back to that old European-type model.

**Mrs. Donna H. Cansfield:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Ms. MacLeod?

**Ms. Lisa MacLeod:** Thanks very much, Mr. Laird. I appreciate you making the time to see us here at committee today. I really do appreciate that.

I have a quick question, in terms of memberships in professional organizations on the CV that came forward. It's really just a technical question. You're the trustee of Local 675 and trustee of Local 1891. Which union is that?

**Mr. Hugh Laird:** I'm a trustee on the health and welfare and pension plans for both of them. Local 1891 is the International Union of Painters and Allied Trades and Local 675 is the International Brotherhood of Carpenters.

**Ms. Lisa MacLeod:** Okay. Thank you for that. I really appreciate it.

I'm just wondering what motivated you to seek this appointment.

**Mr. Hugh Laird:** Everybody in the industry knew that it was happening, and several people asked me if I'd be interested in it: COCA, the construction council, some people in the building trades, my own board of directors and school trustees. They asked me if I'd put my name forward and I thought about it and said—

**Ms. Lisa MacLeod:** And then you won the lottery and got to show up here at committee.

Just a quick question, and I asked this of your colleague earlier, whom you will be sitting on the committee with, Mr. Heslop. What do you think of the board structure? We talked a little bit. I apologize; you weren't here. We talked a little bit about the stakeholders this organization is going to have to deal with. He mentioned, and I quite agree, that it will be industry and business, academia, the trades—he had one more. Help me with it. Academia, trades—and government. Oh yes.

I'm just wondering what type of balance you think this organization is going to have to strike with all of those stakeholders in terms of not only its composition but also in terms of dealing with them.

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**Mr. Hugh Laird:** The composition of the board is quite diverse. It's something new. I really don't know how it's going to shake out, to be very honest with you. I really don't, because it's fairly loose right now. People have to get to know each other. As in any other board, if the board isn't working as a cohesive unit, nothing's going to happen. I think that would be a challenge, to put the initial people together and get everybody on the right page and take it from there.

**Ms. Lisa MacLeod:** You have some additional challenges, too, just because you are a brand new board, as you mention, and you're transitioning. I guess that's another question I have: What challenges do you see as a new member of this organization as the council assumes the role of a board of the Ontario College of Trades in the transition period?

**Mr. Hugh Laird:** I think that's why some people asked me to join the board: because I've been doing it all my life. I've served an apprenticeship. I currently administer four, and I've been in construction all my life. People in the industry represent their particular group, but I think I'm perceived as being a fair and honest



person. All through my life I've always gotten along with the other trades, the other organizations, and I think that's why they wanted me to be here.

**Ms. Lisa MacLeod:** Right. I think they're called divisional boards. Do you know if there's going to be a policy that the council is going to have to follow in selecting the members and the chairs of the divisional boards from employer-employee board members?

**Mr. Hugh Laird:** I do not know that, no.

**Ms. Lisa MacLeod:** A final question I have on apprenticeship ratios—I've mentioned this previously to Mr. Heslop: What are your thoughts on apprenticeship ratios? You probably do know that in Alberta they have, in many of their fields, a one-to-one apprenticeship ratio. I'm just wondering: What are your thoughts there, and do you think we need to lower apprenticeship ratios in the province? Why do you think there's a difference between what's happening in Alberta and what's happening here in Ontario?

**Mr. Hugh Laird:** I think that apprenticeship ratios are best left to the individual trade. The four that I do, I have thoughts on them, but—

**Ms. Lisa MacLeod:** Could you share them?

**Mr. Hugh Laird:** Yes. We believe the one-to-four for the four trades that we do is sufficient.

**Ms. Lisa MacLeod:** It's painting and construction?

**Mr. Hugh Laird:** Drywall, ceilings, exterior insulated finishing systems, and hazardous material abatement.

When you get into hazardous material abatement, the contractors there might want the one-to-one ratio. We haven't had that meeting yet because it's a brand new trade. We just got approval of it a few months ago. That may go to a one-to-one ratio. I don't know. But I don't feel qualified to speak on what an electrician or a plumber ratio should be. I think that should be left up to the individual trade—

**Ms. Lisa MacLeod:** That's a fair point. It was in terms of your trades. I just want to say thanks for coming today.

**The Chair (Mr. Ernie Hardeman):** Mr. Hampton.

**Mr. Howard Hampton:** Thanks for taking the time to be here, and thanks also for taking me through the centre and trying to educate me on some of what's happening in the skilled trades today.

The body that you're going to be appointed to has a pretty ambitious agenda for the next year. Some would describe it as having to be all things to all people. You're taking on a lot of challenges. How do you see all that unfolding, from your perspective?

**Mr. Hugh Laird:** I wish I could give you a definitive answer on that, but I can't. It's a brand new board. It models some other things, like nurses, teachers, doctors etc. As far as I know, those other boards work well. I think that what this is going to do will be more instant.

Years and years dealing with the apprenticeship system in Ontario with all three parties was very cumbersome. It would take for ever and ever to get things done. What I see of this one, it looks like the mechanism is there to get an instant response to a problem, because everything is changing.

As I mentioned earlier, we've just started a new hazardous material apprenticeship. A bunch of the people are working in this building right now. If the contractors and the workers decide that this training regime is no good, it takes a long time, under the current system, to change things.

What I see with this new system, I think, will be more responsive because the people who are actually making the decisions are the people who work in the industry. It's not really going to government and having government drag it out, which they do, because it's just the way that you guys do business here.

**Mr. Howard Hampton:** I want to touch on something that my colleague from the Conservative Party touched on. The issue of training ratios or apprenticeship ratios is a contentious one. Sometimes you even hear it on the floor of the Legislature. How do you see that being sorted out? I don't claim to be an expert on this, but it seems to me that if there's disagreement within a particular trade on what the ratios ought to be—employers want one thing, and skilled trades want another thing—somehow this has to be sorted out. How do you see that being sorted out?

**Mr. Hugh Laird:** I don't think, with all the skilled trades, that it's going to be a contentious issue. I know that it is with one that I've heard of. I've heard that the electricians have a problem. That's the only one that I really know of. For the rest of them, it seems to work well. The employers and the unions will sit down and say, "What is the best thing to do?" It has never been a problem with the apprenticeship that I served and the four that I administer; it has never been a problem. I don't know. I believe that the people who actually make their living off it are capable of making that decision.

To answer your question, "What do we do if they can't come to a decision?", that's a very tough question. We'd have to see what the guidelines to the board allow for that. I can't answer that right now.

**Mr. Howard Hampton:** Okay.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation this morning. We again apologize for the rushing of it, but we got it all completed. We wish you well in your future endeavours. Thank you for coming.

**Mr. Hugh Laird:** It wasn't your fault; it was mine. I apologize. Thank you.

**The Chair (Mr. Ernie Hardeman):** Okay, we can now go to the concurrences. The first concurrence is the intended appointment of Dr. Rachel Ellaway, intended appointee as member, eHealth Ontario. Can we have—

**Mrs. Donna H. Cansfield:** Could I have a recorded vote, please, on all of these?

**The Chair (Mr. Ernie Hardeman):** Yes, but before we can do that, we would have to have someone who would move the concurrence, so we have something to vote on.

**Mrs. Donna H. Cansfield:** Yes, I will move the concurrence.

**The Chair (Mr. Ernie Hardeman):** Thank you.

**Mrs. Donna H. Cansfield:** I'd be pleased to move concurrence for Dr. Rachel Ellaway's appointment as a member of eHealth Ontario.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Mr. Chair, if I may? Dr. Ellaway was certainly a very fascinating person who appears to have very good credentials and has done some very interesting work.

That being said, the official opposition, until there's a public inquiry into the \$1-billion boondoggle at eHealth, will not be able to support any of the candidates at this time. I just want that noted.

**The Chair (Mr. Ernie Hardeman):** Thank you. Any further discussion on the motion?

#### Ayes

Albanese, Arthurs, Cansfield, Carroll, Hampton, Sandals.

#### Nays

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Our next—

**Ms. Lisa MacLeod:** Mr. Chair, if I may? Given that my colleague Jim Wilson, who's also our critic, was unable to be here—he's on House duty at the same time—I'm wondering if I could request a deferral for seven days on the two appointments to the college.

**The Chair (Mr. Ernie Hardeman):** That can be done, so we will. That was a request for both the next two or just for Mr. Heslop?

**Ms. Lisa MacLeod:** No, for both—and Mr. Laird.

**The Chair (Mr. Ernie Hardeman):** Okay. We have a request for the deferral of the consideration of the next two appointees to our next meeting. That brings us to the end of our meeting and concludes the business of our intended appointees.

Is there any other business of the committee that anyone wishes to bring up? If not, we will reconvene here at 8:30 or 9 o'clock; we leave that to the committee. We will have our first delegation at 9 o'clock. We will have to do our concurrences prior to that. If you wish, we still can still set it to—we'll say 8:45, so we can do the concurrences. The concurrences per day must be dealt with at the start of the next meeting. We'll set the meeting for 8:45 so we'll have 15 minutes for the concurrences to deal with before we have to do our first intended appointee. Okay?

With that, thank you very much for your participation. This meeting stands adjourned.

*The committee adjourned at 1022.*









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Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 18 May 2010

# Journal des débats (Hansard)

Mardi 18 mai 2010

## Standing Committee on Government Agencies

Intended appointments

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 18 May 2010

Mardi 18 mai 2010

*The committee met at 0903 in committee room 1.*

## INTENDED APPOINTMENTS

## MR. COLIN HESLOP

Review of intended appointment, selected by official opposition party: Colin Heslop, intended appointee as member, College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** I call to order the committee of government agencies for May 18. First of all, we thank all the committee members for their attendance this morning.

Secondly, the first two items on our agenda are to consider concurrences for the interviews that were held last week. The first one is the intended appointment of Colin Heslop as a member of the College of Trades Appointments Council. Do we have a motion?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Colin Heslop as a member of the College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? All those in favour?

**Mr. Michael A. Brown:** Recorded vote.

## Ayes

Albanese, Brown, Cansfield, Carroll.

## Nays

MacLeod, Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## MR. HUGH LAIRD

Review of intended appointment, selected by official opposition party: Hugh Laird, intended appointee as member, College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** The second concurrence is the intended appointment of Hugh Laird as a member of the College of Trades Appointments Council.

**Mr. Michael A. Brown:** I am proud to move the concurrence in the appointment of Hugh Laird as a member of the College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? No discussion?

**Mr. Jim Wilson:** Recorded vote.

## Ayes

Albanese, Brown, Cansfield, Carroll.

## Nays

MacLeod, Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## MR. PATRICK DILLON

Review of intended appointment, selected by official opposition party: Patrick Dillon, intended appointee as member, College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** We will now proceed to the intended appointments. The first appointment this morning is Patrick Dillon, intended appointee as a member of the College of Trades Appointments Council. Mr. Dillon is present. If you would take a seat at the head of the table.

**Mr. Michael A. Brown:** On a point of order, Mr. Chairman: I see that we have some cameras in the room. I just wonder if we could recognize the press groups that they represent.

**The Chair (Mr. Ernie Hardeman):** It's possible, but it's not normal. I don't think we ever, when something happens in the Legislature—

*Interjection.*

**Mr. Michael A. Brown:** It was just a question.

**The Chair (Mr. Ernie Hardeman):** We won't have a cross-debate. I would point out that in the Legislature when something happens, we do not have the press identify themselves in the gallery. Thank you very much for that. It's not a point of order.

**Ms. Lisa MacLeod:** On a point of order, Mr. Chairman: I'd like to know if it's possible to swear in an intended appointee under oath. I know that happens in some committees, and I'm wondering if we could do that in this particular instance.

**The Chair (Mr. Ernie Hardeman):** It's not impossible, but it would have to be at the request of the whole committee.

**Ms. Lisa MacLeod:** Okay, how do I—



**The Chair (Mr. Ernie Hardeman):** You can ask for that from the committee, as to whether they would agree to it.

**Ms. Lisa MacLeod:** I'd like to request that.

**The Chair (Mr. Ernie Hardeman):** There has been a request made that the witness this morning be sworn in to give sworn testimony.

**Mrs. Donna H. Cansfield:** No.

**Mr. Michael A. Brown:** No.

**Ms. Lisa MacLeod:** Mr. Chair, I have another question. The Liberals are denying this request from the opposition to have this particular individual sworn in. Is he allowed to ask himself to be sworn in under oath?

**The Chair (Mr. Ernie Hardeman):** I'm not in a position to suggest what the deputant wishes to ask for or not to ask for. It's not the committee's position—the request for the swearing in—

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** The position of the swearing-in has been cited, that the committee is not in the position to request that. If the applicant wishes to request that, that would be up to the applicant, but he would not be obligated to do that.

We have Patrick Dillon. Mr. Dillon, thank you very much for your presence this morning. As is the normal practice, we will provide you with the opportunity to make an opening statement to inform the committee as to why you proceeded to come here and your qualifications that would qualify you for the position. We will then have questions from each caucus; the caucuses will have 10 minutes to ask questions as they see fit on their thoughts on the appropriateness of the appointment. Obviously, with 10 minutes from each party, that will conclude the half-hour survey. We will begin the questioning with the third party, and then we will proceed from there. I was just waiting, filling in the time until we were sure we were all present, so we could decide where we were going to start with the questioning.

Thank you very much, Mr. Dillon. Welcome this morning. We look forward to hearing your presentation.

**Mr. Patrick Dillon:** Thank you and good morning to everyone. I was going to start out my remarks by saying thank you for the opportunity, but by the sounds of things in the room, maybe I should just say thank you for the invitation to be here to present.

I'm Patrick Dillon. I started my working career as an apprentice electrician, graduated to journeyman status in 1966, worked on the tools most of the time between then and 1984, with some of that time spent as a supervisor in the electrical trade, and then went on to be a union representative. I must say I was honoured. I was not appointed to be a union representative; I was elected by my peers, and I've been re-elected every three years, from one job to another, from 1984 to the present.

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In 1991, I was elected by my peers to be president of the Provincial Building and Construction Trades Council of Ontario, which is somewhat of an ex officio position in the sense that you're not the staff person, but you run

the meetings of the executive board, and you chair the conventions of the building trades. In 1997, I was elected as the business manager/secretary-treasurer of the building trades and have been re-elected every three years from that time forward. I have to say that, in some ways, all of that is some background as to why I think I qualify as a candidate—amongst quite a number of candidates, I might add—who applied to be on the College of Trades.

I'd also say that as a tradesperson, I'm very, very pleased that we do have people elected in this province who see a need for the College of Trades, which gives some respect to tradespeople in this province. Tradespeople are the people who build the province. The moms and pops of today's society tend to look to their children to be in professions. I think one of the things that the College of Trades will do is help the moms and pops of the world, and our guidance counsellors in our schools, see that the trades should be considered as one of the real, viable career choices for their offspring. To me, the college of trades is a very, very important mechanism going forward for training the future workforce in the province of Ontario.

One of the other pieces that the college of trades has as part of its structure is to make sure that the cultural issues are advanced. Looking at our demographics and where the future workforce will come from, immigration is going to play a large part going forward, as, obviously, are the youth of Ontario. But I see that the College of Trades has a mechanism in it to help address the diversity of the province, and I think that's a very good thing.

I will leave that, and I'll say to the official opposition that I, like you, I expect, will be honest with my comments.

**The Chair (Mr. Ernie Hardeman):** Thank you very much.

**Ms. Lisa MacLeod:** On a point of order, Mr. Chair: Since this intended appointee was chosen by the official opposition, we're wondering why we're not able to start with the questioning.

**The Chair (Mr. Ernie Hardeman):** I have to apologize. I did make an error. The questioning should start with the official opposition, so we will go back, and it will end with the government side.

**Ms. Lisa MacLeod:** Thank you. First, I'd like to ask, Mr. Dillon, if you're willing to be sworn in.

**Mr. Patrick Dillon:** Are you willing to be sworn in?

**Ms. Lisa MacLeod:** Well, I'm—

**Mr. Patrick Dillon:** Do you take an oath in the Legislature?

**Ms. Lisa MacLeod:** I don't take the questions here, sir. You do.

**Mr. Patrick Dillon:** I watched some of your comments yesterday from the House.

**Ms. Lisa MacLeod:** Listen, I've asked you a question. Yes or no, are you prepared to be sworn in?

**Mr. Patrick Dillon:** No.

**Ms. Lisa MacLeod:** Okay. That's great.

Everyone in this committee is aware of your role with Working Families' campaign to spend millions in ad-



vertising on an anti-Progressive Conservative campaign to help the McGuinty Liberals. You moonlight, as a career, as a Liberal attack dog, and that is going to severely impact our decision on whether you deserve this appointment.

I have a few questions for you. To your knowledge, did Working Families or the Working Families Coalition have meetings to discuss advertising, how to create that advertising, the content that would be provided in the advertisement or just to generally discuss the campaign? At any time, did Marcel Wieder, Don Guy or any Pollara representative attend those meetings?

**Mr. Patrick Dillon:** I think the real answer to those questions you can get from the Elections Ontario commissioner. I took an oath to testify in front of Elections Ontario. That request was put in by John Tory, who is the former leader of your party. I went in front of Elections Ontario—ironically, Elections Ontario had Tory and Tory doing their interviews, which I didn't object to, because—

**Ms. Lisa MacLeod:** The question that I have, because I'm not going there—

**Mr. Patrick Dillon:** I am still answering the question—

**Ms. Lisa MacLeod:** —is, did Marcel Wieder, Don Guy or Pollara attend any political meetings with you to talk about advertising that would attack the Progressive Conservative Party in either the 2003 or 2007 election? Yes or no?

**Mr. Patrick Dillon:** The answer to that question you'll find in the report from Elections Ontario.

**Ms. Lisa MacLeod:** And what is it? Are you willing to divulge that?

**Mr. Patrick Dillon:** Read it.

**Ms. Lisa MacLeod:** All right, we'll take another tack. Did you know Marcel Wieder was engaged by the Ontario Liberal Party in the 2003 and 2007 elections?

**Mr. Patrick Dillon:** I do not know who Marcel Wieder's client base is, as I don't know who Don Guy's client base is. I don't know who John Tory's or Tory and Tory's client base is.

**Ms. Lisa MacLeod:** Okay, now you're off track. Did you meet with Greg Sorbara in his office in June 2007?

**Mr. Patrick Dillon:** I can't remember. If Greg Sorbara—in 2007, was he the treasurer of Ontario?

**Ms. Lisa MacLeod:** Mr. Chair, I have a copy of Greg Sorbara's calendar for June 18 to June 24 that I'd like to table with you and the clerk, which says that Mr. Dillon did meet with the Liberal campaign chair—then finance minister—in June 2007. No notes, apparently, were taken at that meeting. Do you recall what happened at that meeting?

**Mr. Patrick Dillon:** No.

**Ms. Lisa MacLeod:** So you don't know if you talked about Working Families?

In all honesty, your unwillingness to be forthcoming to this committee proves what a sham this is. I'm just going to make a closing statement, then, Mr. Chair, because of the unwillingness to disclose key facts to this

committee that would help us determine whether or not this person is fit for a political appointment.

We have made a determination that his answers here today confirm what we already know: He's unfit for this appointment. He's not deserving of a respectful office, and he's not deserving of one more cent of taxpayer money. That's because we already know you have been bought and paid for by Dalton McGuinty and our tax dollars. You finance—

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** That's out of order.

**Ms. Lisa MacLeod:** You finance and you produce Liberal Party attack ads completely off the books, in a complete end run around election spending limits.

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** You must withdraw the "bought and paid for."

**Ms. Lisa MacLeod:** Withdrawn.

We know that, in return, he gets handsomely rewarded for doing Dalton McGuinty's dirty work. At best, it is unethical.

*Interjections.*

**Ms. Lisa MacLeod:** You get handsomely rewarded, and it's either collusion or perversion of our democracy. At worst, this is unethical. It could be an offence. It's a disgrace that you're even allowed in this committee.

This is the worst political corruption case in Ontario's history. It's quite possibly worse than Adscam and the sponsorship scandal. This is just a disgrace. You do not represent real working families, and you don't deserve this appointment. You, Marcel Wieder, Don Guy, Dalton McGuinty and every single Liberal member ought to be held accountable for what you have done. I have nothing else to say to you.

The official opposition will not be supporting this, and we will be pursuing it.

**The Chair (Mr. Ernie Hardeman):** Thank you.

**Mr. Patrick Dillon:** Mr. Chairman, could I make a comment?

**The Chair (Mr. Ernie Hardeman):** Yes.

**Mr. Patrick Dillon:** There were some comments made there that are somewhat inflammatory. I assume that the member probably would not want to make the same comments outside of this room.

That being said, speaking to the reason that I've been brought in front of this committee—

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**Ms. Lisa MacLeod:** Mr. Chair, I finished my round of questioning and it's now the New Democrats' opportunity to question this witness. In addition to that, this individual has not chosen to actually be sworn in under oath, so—

**The Chair (Mr. Ernie Hardeman):** That's not a point of order. The time allotted was 10 minutes, and if it's used all for the question, that's fine, but if there's sufficient time left for the applicant to answer the question, that time must be given if it fits in with the—



**Mr. Patrick Dillon:** My comment simply is that I'm surprised that the member would not ask any question with any relevance to tradespeople in the province of Ontario and did make a comment about me not being qualified to sit on the College of Trades.

I'd like to point out to the member that I've had some standing in this province, being appointed by different governments and at different levels to serve the people in the province of Ontario, one of them being I was appointed to the Workplace Health and Safety Agency review committee by the Minister of Labour, Elizabeth Witmer, in 1995. In fact, when we went through that review I wrote a dissenting report to the committee of recommendations, and on the heels of that I was appointed to the Workplace Safety and Insurance Board board of directors by the same Minister of Labour, Elizabeth Witmer. I was reappointed—

**The Chair (Mr. Ernie Hardeman):** We are at the end of the time limit. We thank you very much for that, and I'll—

**Mr. Patrick Dillon:** I'll cover those things in another question.

**The Chair (Mr. Ernie Hardeman):** We'll now go to the third party.

**Mr. Howard Hampton:** I'm not sure you're responsible for this colourful activity at the committee, but it certainly is colourful.

I do have a couple of questions. The appointments council, which is what you have applied for, is going to be a very busy operation. I wonder if you could tell me how you see all of this happening?

**Mr. Patrick Dillon:** It's interesting. For sure, it's going to be a very busy time. I think that, out of the gate, one of the first challenges for the appointments council will be to hire either an interim—that'll be up to the council themselves—or a full-time CEO to carry the ball for the number of issues that are going to be in front of the council.

The two issues that have to be dealt with in the first year is putting a mechanism in place for deciding compulsory certification and also dealing with apprenticeship ratios. The two of those issues are in some ways political, but in some ways they're also very important to how you put mechanisms in place to train the future workforce. They're going to take a major amount of time in the first year.

During that same time, the appointments council will be not only acting as the transition board but as the appointments council, preparing names to put forward for the governing board, the industry board and the trade board.

You're right; there's a lot of work to be done and it's going to take lots of time to do it.

**Mr. Howard Hampton:** Since you brought it up, let me raise the issue of ratios. The issue of the number of journeymen to apprentices is a conflict-ridden issue—

**Mr. Patrick Dillon:** Is a which?

**Mr. Howard Hampton:** Is sometimes a conflict-ridden issue. How do you see yourself approaching that?

**Mr. Patrick Dillon:** Without getting input from the council itself, ratios have never really been set by anyone but the industries themselves. I mean, it's set by government, but they get the feedback from the advisory boards of the trade committees, which have labour and management representation, and they make recommendations as to what the ratios should be. I don't see that changing a lot.

Ratios have changed over the years and ratios are different from one trade to another in the construction industry. They're also different between sectors, so what the ratio for sheet metal workers might be in the construction industry may be different than what the ratio for sheet metal workers might be in the pulp and paper industry.

**Mr. Howard Hampton:** One of the issues that we have certainly heard on the floor of the Legislature is that ratios are quite different—for example, in the construction trades—in other provinces.

**Mr. Patrick Dillon:** Yes.

**Mr. Howard Hampton:** Why is that?

**Mr. Patrick Dillon:** I can't explain what other provinces do. Our trades, as I've said, meet with their employer groups. I've worked in many jurisdictions in Canada and in the USA, and this may sound very Ontarian, but I think in the construction industry, the most highly skilled construction workforce is here in the province of Ontario. So I don't think that there are standards issues because of the ratios. There may be—I know there are—from time to time issues raised in the Legislature, but I don't hear that coming so much from our industry.

**Mr. Howard Hampton:** Those are all the questions I have.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We'll move to the government side. Mr. Brown?

**Mr. Michael A. Brown:** Thank you, Mr. Dillon. I appreciate you coming before us today and putting your name forward for one of the very important positions in the province of Ontario for which, obviously, your credentials eminently qualify you.

I would point out as we go forward that I have, in my experience, never seen a witness asked to swear an oath, particularly when we take note of what the Speaker said yesterday about impugning motives and attacking individuals. As you know, and the Chair knows, the members all have parliamentary immunity and can say what we want to say here, regardless of how accurate it might be. You don't have that same privilege, and I am a little concerned for the institution when members take on that McCarthy-like approach to questioning.

The real question I have is, within your experience, which is about as broadly based as I can think of in the trade union movement, in the construction industry, in which Ontario, as we can tell by the number of cranes around here these days, is not only superiorly competitive but has a superior workforce that makes that—could you kind of elaborate on your qualifications and, more particularly, your members' qualifications, to do the work?

**Mr. Patrick Dillon:** As when I was answering Mr. Hampton's question—it's hard to put evidence on the



table that we have the best-trained workforce. But it's been my experience, as I've said, working in a number of jurisdictions in this country and in the United States—including New York City, as a matter of fact—that the workforce in the province of Ontario is unmatched, in my view, because of the range of training that our people get. I think it can be improved and I think that the College of Trades will help improve that, particularly in trades that are non-compulsory now and that have tried to be compulsory trades over the years, but the government, the bureaucracy, had difficulty in dealing with it. I'm not knocking the bureaucracy. They were getting input from many different directions on the issue of compulsory certification, so it's difficult to make a decision. We're compelled now to put a process in place that will answer that. But at the end of the day, I think the level of the standards will increase, particularly in those non-compulsory trades, as they have an opportunity.

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Compulsory trades have compulsory training. It has major impacts on the quality of the tradesperson who comes out of the apprenticeship at the end of the day, and compulsory certification also has—and I would encourage all parties to pay attention—an impact on prevention and health and safety. If you're a better-trained worker to perform the skills of your trade, you will not try to figure out some unsafe way of doing that. Compulsory certification has many positives, and I'm not prejudging where the committee will go with that, because there are definitely arguments from one sector to another. What the service sector needs, as compared to the industrial sector versus the construction sector—there are issues that the College of Trades will have to deal with, and each one of them has legitimate concerns about what their needs are for skilled tradespeople.

**Mr. Michael A. Brown:** Mrs. Cansfield?

**Mrs. Donna H. Cansfield:** I just wanted to ask a question. First of all, I wanted to say I'm not going to be an apologist for the bad behaviour that has been exhibited in this room, but I will say that typically that's not how we deal with folks who have put their names forward. You deserve the same respect, sir, as every other individual who comes before this committee.

One of the areas that I'm particularly interested in is the whole issue around how you encourage young people to go into the trades. Years ago, we used to have agreements called articulation agreements, where we actually worked with colleges and high schools to help bridge that gap into the trades. Is that something you see that could be initiated or brought forward by the College of Trades as well? Because I know you've had some experience with that.

**Mr. Patrick Dillon:** I don't know what impact the articulation agreements would have, but one of the things I will say, and I don't say this because I'm an electrician myself, is that the compulsory trades, again—I'm back to the compulsory trades kind of issue—whether it's the pipefitters, electricians or sheet metal workers, people in this place from time to time are talking about the

shortage of skilled tradespeople and the inability to attract people to the trades. It is much easier to attract apprentices to the compulsory certified trades than it is to the non-compulsory trades, and I believe one of the reasons for that is, at the end of the day, with a compulsory certification, you have a licence to perform particular work. In a non-compulsory trade, you don't. In the recession of the 1990s, the electricians', carpenters', pipefitters' and labourers' locals in Toronto stayed reasonably the same size: 5,000 each. Between the electrician and the carpenter, one is a compulsory and one is a non-compulsory trade. The electricians' membership, over the four and a half or five years of the recession, dropped from 5,000 to 4,700. The carpenters' membership dropped from 5,000 to 2,500. What caused that? I don't know exactly, but I know that the distinct difference between the two is that they're licensed. I think there's a real opportunity to use the College of Trades to help attract people for a number of different reasons that will help professionalize the trades and bring more people forward to the trades.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That concludes the time allotted for the interview. We thank you again for coming forward and putting your name forward for the position.

**Mr. Patrick Dillon:** I thank you very much and tell my friend that I take nothing personally.

#### MS. JOY WARKENTIN

Review of intended appointment, selected by official opposition party: Joy Warkentin, intended appointee as vice-chair, North West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** The second interview this morning is L. Joy Warkentin, intended appointee as vice-chair of the North West Local Health Integration Network. Thank you very much for coming in this morning. As our normal practice, we will offer you an opportunity to make an opening statement, and upon the completion of that statement we will then have the rotation of questioning from all three caucuses. This round will start with the third party. We look forward to your presentation.

**Ms. Joy Warkentin:** Thank you very much for inviting me to be here this morning. I'm sure that all of you have seen my basic resumé and are familiar with its contents, so I'm not going to bore you by repeating what's in there, but there are a couple of things that I would say in support of this important position.

Throughout my professional career and also my volunteer time, I have been passionate about three things: The first is students and clients, the second is leadership and the third is sustainability. I think all of those things are congruent with what I'm being asked to take on.

Being a board member of the LHIN is an important position, and I believe that my diverse experience in health and education in rural and urban settings as a union member and as a manager brings a richness to the



contribution that I can make. I also believe that my experience as a negotiator, communicator, mentor and leader are relevant to what I'm being asked to take on.

The decision-making framework of the local health integration networks is non-partisan, non-biased and in the interests of the citizens of the region that is served. I believe that my board experience in all three sectors of health, education and social services also will contribute to my effectiveness.

I've had significant experience on boards. I served on the Premier's Council on the Premier's Council board. I chaired the local district health council and chaired a very difficult hospital restructuring. I've been able to work with different government leaderships on the priorities of the day, and I think that's an effective way of moving forward. I've also had experience with the children's aid society and various other boards, so governance is also a very important interest of mine.

I lived in London for 10 years, and at the end of those 10 years I had a choice: I could stay in London, where I had formed many contacts, or I could return to the north. I chose to return to the north because I love the north. That's a commitment that I have made, to live there and contribute to my community.

The last thing that I would say is that I see this as a continuation of the ladder of leadership that I have been on. In the first part of my career, I worked as a nurse and as a teacher, and I prepared myself to lead. I then stepped up to lead and did that for a significant amount of time in the college system and in my volunteer opportunities. Now is the time for me to give back, and I think I can do that. It is also because I believe that old age is to be resisted.

**The Chair (Mr. Ernie Hardeman):** I'm not sure that last comment is appropriate or suitable for the occasion because that has something to do with age, and I wouldn't want to get into that.

With that, I thank you very much. We will go to the third party. Mr. Hampton.

**Mr. Howard Hampton:** You didn't elicit the fire-works that your immediate—

**Mr. Michael A. Brown:** They haven't had their turn yet.

**Mr. Howard Hampton:** Yes. Maybe we can liven this up a bit.

The North West LHIN has some very difficult work in front of it. If you go to Red Lake or Sioux Lookout or Kenora or Atikokan or Fort Frances, and I suspect if you go to Geraldton or Longlac or Terrace Bay, the view is held that everything is being centralized in Thunder Bay. I invite you to read the editorial in the Kenora Daily Miner and News—any editorial over the last month. There seem to be a lot of long-term-care beds going into Thunder Bay. Long-term-care patients in Kenora are being told, "If you want a long-term-care bed, go 200 kilometres down the highway," where you don't know anyone and you have no family. How do you think the LHIN should address these issues?

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**Ms. Joy Warkentin:** I think that's a really important question, and I think that always happens; that's natural. If you ask people in Thunder Bay, they would say that all the services are being centralized in Toronto. And I don't think it matters where you are; I think that is always the view.

One of the things that the LHIN has to do is educate people. For example, the North West LHIN has the largest area of any of the LHINs and the smallest population, about 2% of the province's population; 4% to 5% of the province's health care resources go into the north. So it is, in fact, true that the government is supporting the north in a very significant way, and all governments in the past have done that.

The LHIN has to work with the people in those communities to ensure that the basic health services are there. They're always only going to have the basic, primary services in smaller communities; tertiary services will always be in a larger centre. I don't think that anybody can argue with that. But there has to be an understanding of what is able to be accomplished in small communities. They do need appropriate health services, and it's the LHIN's job to work with them to help plan those services.

I agree that the long-term-care issue is a big issue; that's also an issue in Manitoba. My mother-in-law spent a year in a French-speaking nursing care home, when she is German, and couldn't go to her community. I think resources are stretched; that's a reality. But the planning process has got to think about how we can best meet those needs. We have to find appropriate supports in the community, and the north is severely stretched in terms of appropriate supports that help people stay in their homes.

I think all of those things are on the planning framework of the LHIN and it's very aware of that. We have members on our board from all of those regions, and they keep our feet to the fire in terms of the needs of the people in small, remote communities.

**Mr. Howard Hampton:** It's interesting that you'd bring up Manitoba, because one of the other issues that's brewing is that if you talk to physicians, for example, in Red Lake, Dryden, Kenora, Rainy River or Fort Frances, they prefer, when it comes to specialist care or care that they can't provide, to send their patients to Winnipeg for obvious reasons: It's closer. Secondly, they feel that the specialist services are more readily available there—less wait time, better interaction with the physician etc. But there's a public perception that the LHIN is trying to force or influence referrals the other way to Thunder Bay.

**Ms. Joy Warkentin:** That would not be my observation.

**Mr. Howard Hampton:** I'm just telling you what the public perception is; people who come in my office, and they're mad as hell. They want to be referred to Winnipeg, and yet they're being told, "Well, we're supposed to send you to Thunder Bay." If that's happening, do you find that alarming?



**Ms. Joy Warkentin:** Yes. My understanding is that people have the choice to go where they choose. I know that the one area where they are directed to Thunder Bay frequently is for cancer care, and that's because the waiting time in Thunder Bay is very short, probably the shortest in the province, for cancer care. I am not aware that people are directed. I think physicians in communities have a tendency to refer to where they were trained, and many of the people in Kenora and Fort Frances were actually educated in Winnipeg, so that's not surprising. But I'm not aware that the LHIN refers—in fact, we had a discussion about this the other night in our orientation to the board, and it was very clear that that's not the prevailing opinion of the people in the LHIN. So I don't know where that is coming from, but I'll certainly raise it.

**Mr. Howard Hampton:** From my perspective, it's coming from the patients themselves. And usually, if they have a perception that something is happening, that, to me, indicates there's a problem that needs to be addressed.

The other issue that, I think, also needs some attention is the—just take the hospital in Kenora, for example. The wintertime population is 15,000; the summertime population is 45,000, simply because the other name for Kenora is “Winnipeg-by-the-Lake.” When I talked with the hospital administrator there and when I talked with, for example, the physicians who are taking on the leadership role in the hospital, they're very concerned that the budgeting process and the resource-allocation process don't allow them to meet the needs of that huge population that lives there from essentially May until October. They find that in those months—May until October—they're completely stressed out. They simply cannot meet the needs of the then-local population.

I don't think it matters to say, “This person ought to go back to go Winnipeg to get health care or this person ought to go back to Minneapolis to get health care”; what happens in the hospital is, the person from Manitoba may be in the line and the person from Kenora or the person from Keewatin is the person who's waiting four, five or six hours to be seen.

How does the LHIN deal with those kinds of situations? Kenora is the second city in northwestern Ontario and in many ways has built a rather admirable record of providing good-quality health services, health services that many other communities don't have, yet that community feels that they in particular are being constrained now.

**Ms. Joy Warkentin:** Well, if you look at the data on wait times, the North West LHIN has made significant improvements in wait times in all areas except MRIs, and that would also be true for Kenora. So the wait times evidence would say that that's being managed a certain amount. Now, I'm not sure to what extent the summer and the winter part balances, but certainly, if that's an issue, then the LHIN would have to discuss with the hospital how the budget is struck and what can happen to support them in the summertime. I would think that most

of those visits are probably emergency room visits, so there may be something that can be done. Certainly, the LHIN would be talking with them.

I know that the LHIN staff talk with the staff of those hospitals and we also speak with the boards of those hospitals. In fact, we're having a meeting in June with the CEOs and the board leaders of all of the hospitals to talk about planning for the future, so I would think that that would come up at that point.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. To the government: Mr. Brown.

**Mr. Michael A. Brown:** Thank you for putting your name forward. Just a quick look at your resumé tells me that you are eminently qualified. Just as an aside, I happened to have a good chat with Bob Rosehart on the weekend, and he offered some insights into your part of the world.

I should point out that I represent part of the North West LHIN in that I have a little wee slice of the LHIN at Manitouwadge and Pic Mobert. I'm interested in issues in the LHIN probably related to our very rural experience, being the largest LHIN with the smallest population—I'm kind of the poster child for that.

I want you to talk a little bit about the opportunities in telemedicine that you're probably aware of and how they have improved the service to many of our communities. I know that it has made a significant difference to the people I serve over time—you don't have to go to Thunder Bay for certain things; you can actually be referred to London, but never leave the hospital. Maybe you might want to talk about those sorts of things and your view of how that might work even better.

**Ms. Joy Warkentin:** My experience both in education and health in the north is that the north is forced to be innovative because of its remote nature. There have been a number of things that have been done to try to serve people better in remote areas. One is telemedicine; one is that we've trained 75 trainers to help people with chronic diseases in remote communities to have better health outcomes and to not have to visit hospitals so often. There have also been diabetes trainers trained who are on reserves and in remote communities who then work with people who have chronic and sustained illness to try to reduce their dependence on the system. If you combine some of those things—videoconferencing, teleconferencing, computer conferencing—and some of the outreach.

The other thing you may be aware of is that hip and knee surgery and cataract surgery are now happening in some of the more rural hospitals. There are pediatricians—because my son is a pediatrician, I happen to know this. He goes to Fort Frances, Dryden and Kenora and offers service about once every three months, and then when those patients come into Thunder Bay, they know him and they're able to get support—and the physicians in those communities are able to get support with complex issues.

So all of the innovative ways that people can communicate are in the north. I think our use of technology is probably spectacular compared to many other parts of the province. It has to be.



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**Mr. Michael A. Brown:** On that issue, transportation is also very important to the rural communities. I recently had the opportunity to talk to the good people at Ornge, the air ambulance folks. I was surprised—pleasantly, I guess—to know that they provide 19,000 patient transfers a year. Many of those are in southern Ontario, but many of them are in the north.

The issue of just attending specialists: My folks in Manitowadge or Pic Mobert are probably at least a four-hour drive from Thunder Bay, and in January and February and sometimes March, December and November, that can be quite an exciting journey. I don't know whether it's within the mandate of the LHIN to look at that. We had quite an interesting year-long pilot project to see if they could organize the transportation of patients to Thunder Bay in an organized sort of fashion to make it easier for folks and also to make the expense more affordable. I don't know whether the LHIN really has a role in that, but it seems to me that it's an important issue for all those people along the North Shore of Lake Superior, actually.

**Ms. Joy Warkentin:** It's not within the mandate of the LHIN, but the LHIN does work with its partners to try to improve that because, obviously, access to health care is dependent upon transportation, so they do work with their partners and some of the land and air ambulance people to try to improve that situation. Much of what the LHIN has to accomplish, because it's not responsible for all the aspects of health and health care, is to work effectively with its partners to identify needs and to be facilitative and supportive in delivering the appropriate levels of care.

**Mr. Michael A. Brown:** I just want to indicate the government's support for your concurrence and wish you the best on this important board.

**Ms. Joy Warkentin:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. To the opposition. Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Ms. Warkentin, for coming today. You certainly appear to be very well qualified. I gather the hospital restructuring that you were involved in was probably during my time as Minister of Health, was it? So you probably don't like me very much, but I'm the nicer of the two.

Just out of curiosity, which restructuring did I put you through?

**Ms. Joy Warkentin:** It started with the NDP and finished under your term. It was Thunder Bay; of five hospitals, we ended up with two. We saved \$35 million a year in that restructuring, and I think that the citizens of Thunder Bay would feel that, despite the pain, it has been effective. It's always, of course, losses and wins, and people don't like it much.

**Mr. Jim Wilson:** Yeah. Thanks for doing that. I'm sure you have the scars.

**Ms. Joy Warkentin:** I have the scars to prove it.

**Mr. Jim Wilson:** So do I—and no hair.

*Interjection.*

**Mr. Jim Wilson:** Yeah. I need to get out of town.

Mr. Chairman, I will indicate that I won't use all of my time because Mr. Hampton, who's the member here today most affected by the North West LHIN, would like to ask another question or two.

I would say that one of the disappointments my party has with the LHIN structure—I think there's an expectation among our constituents that the LHIN will actually advocate for them. Instead, it turns out that the LHINs seem to have the job of delivering the bad news on behalf of the government, doing the tough job.

We saw in the Toronto Centre by-election, for example, when it came to giving \$15 million, that was the minister's role; when it came to saying, "No, the hospital's going to close," in concurrence with the board, that was the LHIN's role.

I'll just give you a scenario, a hypothetical. There is an acute need across the province, but particularly in northern Ontario—you mentioned it and Mr. Hampton mentioned it—for long-term-care beds. The Liberals haven't built any long-term-care beds, per se, and I don't know if they're planning on it. But if there's a real need in your area, how do you see the LHIN trying to advocate at the same time they're constrained for political reasons? We've had other people appointed to the LHINs say that they do feel that part of the mandate is that they are constrained in what they can say. How are you going to handle that?

**Ms. Joy Warkentin:** Actually, we have put more long-term-care beds. They're coming into a couple of areas in the next little while. There are also beds in hospitals that are closed that can be re-designated. The LHIN is working to do that.

The LHIN also has some power in terms of whether we're able to do some shared services or some things along the North Shore and south part of our region that can save some money, and that money could be re-allocated into long-term care. They're not totally without power, and the government has actually supported that.

I would say that the LHINs are quite free to advocate. I certainly would feel very free to say, "This is a need in our area that's not being met. We need help to do it." I would hope that that would be listened to.

That's not been what I'm hearing at LHIN meetings. I'm hearing that, when they say something is a screaming need, and they can work with their partners to identify it and figure out a way, the government will in fact support that.

**Mr. Jim Wilson:** Currently, you can see on the TV screen that we're actually debating third reading of the budget bill, and schedule 16 has a section in it that cancels the legislative mandatory review of the LHINs that was to occur this year. Do you have any thoughts on that?

**Ms. Joy Warkentin:** My understanding was that it wasn't cancelled, that it was postponed.

Part of it has actually happened. The first part of the review was a governance review, and all of the LHINs' boards have been assessed. We had a visit; they reviewed



our minutes, our policies etc. They came and met with us for two or three days. They watched a couple of board meetings. We received a report on the effectiveness of our board, and I'm very proud to say that we were told that we are in the "excellence" range.

My understanding is that that has happened in all the LHINs. There was a meeting last week to discuss going forward. So actually part of the review has happened. I understand that the rest is postponed, not cancelled, largely because there are a couple of LHINs that didn't feel they were ready for that.

**Mr. Jim Wilson:** That may be quite true, but that's an internal review. This would have been a legislative committee review with all parties looking at the LHINs.

**Ms. Joy Warkentin:** I understand it's postponed. I don't think it's cancelled.

**Mr. Jim Wilson:** Why is it postponed?

**Ms. Joy Warkentin:** I don't know. I didn't make the decision, and I haven't been told.

**Mr. Jim Wilson:** It's a bit of a mystery, isn't it, especially when it was the law of the land?

**Ms. Joy Warkentin:** I can't answer that.

**Mr. Jim Wilson:** Very well. Mr. Hampton?

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That does conclude the interview. Though we do allot the time to each caucus, they don't have the right to barter it away. We thank you very much for your presentation. We thank you for that, and we wish you well in your future endeavours.

**Ms. Joy Warkentin:** Thank you very much.

**Mr. Jim Wilson:** With unanimous consent, we can do that, Mr. Chairman?

**The Chair (Mr. Ernie Hardeman):** You can do anything you like with unanimous consent.

**Mr. Shafiq Qaadri:** Including identify the press.

**Mr. Jim Wilson:** So I think in the future—

**The Chair (Mr. Ernie Hardeman):** Including which?

**Mr. Shafiq Qaadri:** Including identify the press and stop the—

**Mr. Jim Wilson:** Clearly, you weren't going to get it.

**The Chair (Mr. Ernie Hardeman):** That's right. You can do anything you like with unanimous consent. You have to have unanimous consent. Up until that point, the Chair's ruling stands.

That concludes the interviews this morning. We will now deal with the concurrences.

**Mr. Jim Wilson:** Mr. Chairman, Ms. MacLeod's not here. Can we defer these until the next meeting?

**The Chair (Mr. Ernie Hardeman):** I would point out that the deferral to the next meeting would, in fact, eliminate the process because the next meeting will be more than seven days hence.

**Mr. Jim Wilson:** Oh, okay. So we have to vote?

**The Chair (Mr. Ernie Hardeman):** If we defer, it'll be two weeks that it would be, and then we would not be able to bring them back for that review, so it will require that decision. We either do it today or we don't do it at all.

**Mrs. Donna H. Cansfield:** We do it today.

**The Chair (Mr. Ernie Hardeman):** With that, the first interview was Patrick Dillon, intended appointee as member of the College of Trades Appointments Council. Do we have a motion?

**Mr. Michael A. Brown:** Mr. Chair, I am proud and happy to move concurrence in the appointment of Patrick Dillon as a member of the College of Trades Appointments Council.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Mr. Michael A. Brown:** Recorded vote.

**The Chair (Mr. Ernie Hardeman):** A recorded vote's requested.

**Ayes**

Brown, Cansfield, Carroll, Qaadri.

**Nays**

Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion's carried.

The second one is Joy Warkentin, intended appointed as vice-chair, North West Local Health Integration Network. Can we have a motion for concurrence on that?

**Mr. Michael A. Brown:** Mr. Chair, I am proud to move—

**Ms. M. Aileen Carroll:** On a point of order, Mr. Chair: Are we allowed to abstain in this committee?

**The Chair (Mr. Ernie Hardeman):** Yes. If anybody—

**Ms. M. Aileen Carroll:** So a person who abstains is recorded as having abstained. Is that right?

**The Chair (Mr. Ernie Hardeman):** Well, I didn't see his hand go up—

**Ms. M. Aileen Carroll:** Then it's recorded that the NDP abstained?

**The Chair (Mr. Ernie Hardeman):** No. Abstentions are not recorded.

**Mr. Jim Wilson:** It's the same way we vote in the Legislature.

**Ms. M. Aileen Carroll:** Thanks.

**The Chair (Mr. Ernie Hardeman):** They just have the right to do nothing. I think they called that, at one point, sitting on one's hands.

Mr. Brown.

**Mr. Michael A. Brown:** I move concurrence in the appointment of L. Joy Warkentin as vice-chair of the North West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Mr. Michael A. Brown:** Recorded vote.

**Ayes**

Brown, Cansfield, Carroll, Hampton, Qaadri.

**The Chair (Mr. Ernie Hardeman):** The motion is carried. That concludes the meeting.



I have one other item. I think there is one appointee who is coming for interviews whose time will be lapsed before we come back because of the two-week spread. We need unanimous consent for the committee to extend the deadline for the interview. If we can get that from the committee, that would save all the calling around on behalf of—

**Mr. Michael A. Brown:** I would so move.

**The Chair (Mr. Ernie Hardeman):** Okay?

**Mr. Jim Wilson:** Say that again? What is going on?

**The Chair (Mr. Ernie Hardeman):** Ian Fraser, an intended appointee as member of the South East Local

Health Integration Network—his timeline will have passed before we get back to interview him. If we don't give unanimous consent, we cannot do the interview later. With that, we have a motion from Mr. Brown to extend the deadline. That concludes that.

The next meeting will be at 9 a.m. Tuesday, June 1, in committee room 1, when we interview appointments and will commence in writing the report on the Ontario Municipal Board.

Thank you very much for your indulgence. This meeting stands adjourned.

*The committee adjourned at 1001.*











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Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 14 September 2010

# Journal des débats (Hansard)

Mardi 14 septembre 2010

## Standing Committee on Government Agencies

Intended appointments

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 14 September 2010

Mardi 14 septembre 2010

*The committee met at 0905 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** We'll call this meeting to order. First of all, I apologize for starting late. I thought we would maybe try and see if we could have all three parties present to start the meeting. We have appointments, or interviews, this morning, so we will proceed with the other issues that we have to deal with.

I first of all want to say thank you for being here this morning, and I hope you all had a good summer. We hope, going into this session, that we will all have a productive time serving on this committee between now and the winter recess.

## SUBCOMMITTEE REPORTS

**The Chair (Mr. Ernie Hardeman):** Our first order of business this morning is the subcommittee meeting of Thursday, June 10, 2010.

**Mr. Michael A. Brown:** Mr. Chair, could I move the reports of the subcommittee on business dated Thursday, June 10; Friday, July 2; Thursday, July 15; Thursday, August 5; and Thursday, September 9?

**The Chair (Mr. Ernie Hardeman):** You not only can move the first one; you can move all those, Mr. Brown.

All those being moved, do we have any discussion on any of the committee reports that are before you? Hearing no discussion, all those in favour? Opposed? Motion carried.

## INTENDED APPOINTMENTS

## MR. IAN FRASER

Review of intended appointment, selected by official opposition party: Ian Fraser, intended appointee as member, South East Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** We will proceed with the interviews this morning. The first interview today is Ian Fraser as intended appointee as a member of the South East Local Health Integration Network. Mr. Fraser, if you would come forward. We will provide—any one of those chairs, yes.

**Mr. Ian Fraser:** Any one of these hot seats in the front of the room?

**The Chair (Mr. Ernie Hardeman):** Whichever one you sit down at is the one the lights will come on at.

**Mr. Ian Fraser:** It lights up. Thank you.

**The Chair (Mr. Ernie Hardeman):** You have this thing: You're electrifying.

We will provide you with an opportunity to make an opening statement. Upon the conclusion of the opening statement, we will then allow opportunities for each party to ask questions as it relates to your presentation. We'll have 10 minutes for each party to ask questions, and that will conclude the interview.

So with that, Mr. Fraser, we thank you very much for coming in this morning and we look forward to your presentation.

0910

**Mr. Ian Fraser:** Thank you very much, Mr. Chairman, and thank you to the members of the committee for this opportunity to present myself here this morning.

Welcome back. I hope you've all had a good summer and are ready, as well, for an exciting term ahead.

I do appreciate the decision that this committee made last May to extend the deadline for this interview and allow me the opportunity to come before you today. I'm very pleased to be here.

As you may have learned from my application, I am a consultant in philanthropy and I serve a wide variety of client organizations across the not-for-profit sector on matters of fundraising, governance, strategic planning and communications.

I began my career as a development officer at Kingston General Hospital in 1983, later serving as a hospital vice-president responsible for the programs of the KGH Foundation and the hospital's many public relations activities. During this time, I pursued my certified health care executive credential through the college, as I thought it was important to understand, in my role as a development officer, the principles on which our health care system in this country was founded and, I believe, continues to operate. I felt that it was important if I was to make the case effectively with prospective donors as to why they might wish to consider supporting the hospital with a voluntary contribution. So setting the context for the system was important and it was something perhaps unusual at the time for development officers, many of my colleagues, who saw themselves in a more narrowly defined role. I wanted to understand and appreciate the issues from the get-go as we looked to build a health care system in this country.

In 1995, I returned to Queen's University, my alma mater, to serve as its director of development, where I



assumed responsibility for the institution's fundraising programs.

In 1999, I joined with other health care colleagues to establish the Fundraising Network, a fundraising consultancy providing strategic counsel to institutions and charitable organizations, primarily in higher education, health care, community services and the arts across Canada. It was in this role that I first became familiar with the concept of local health integration networks when they were first introduced into Ontario in 2006. I was aware of the efforts that were being made at the time and previous to this time to address system integration issues all across the country in respective provinces—each of them, of course, highly varied, but nonetheless with a similar goal: to try to develop a system that was integrated within the province and, I hope, by extension, beyond the province's boundaries, so that overall we could develop a comprehensive system in this country.

As a health care executive, I understood the importance of that undertaking and watched with interest, as I believe it was and still is important to keep focused on a better strategy for planning, coordinating, integrating and ultimately funding the health care system, the delivery of services within the system at the local and regional levels, and, hopefully, to do so in a manner that's still consistent with the abiding principles of the Canada Health Act.

Ideally, services of high quality, delivered safely and reliably to patients as close to home as reasonably possible—I'd like to underscore that: as close to home as reasonably possible—is both a worthy goal and a challenging objective. We understand that, I think, within this room, and I think that beyond this room, increasingly, people are understanding it, but given Ontario's geographic and demographic characteristics, there is more work to do to help people appreciate the complexity and the challenge of addressing this issue. I believe that the LHIN structure, well implemented, can deliver on the promise of a truly integrated health care delivery system and achieve that national goal.

Over the years, I believe I've learned some things of some importance—the importance of building relationships built on trust and mutual respect. Reshaping the health care services in a local or regional setting is not easy, and it's increasingly complex, given the evolving changes of technology, the evolving demands of an aging population—so many varieties of issues to be considered. But ultimately, whatever is done must be done, in my frame of reference, on the basis of integrity, and the LHIN and those who are among the leadership of the LHIN must be trustworthy. So building a trustworthy model is critical, in my view, to future success in this area.

The other thing I've learned as a fundraiser is the importance of effective communications. In my view, the public as a whole does not yet fully understand or appreciate the role and the potential value of the LHIN structure as it's currently conceived. It's one area that I hope I can, in a modest way, help to address as a board member.

I'd like to say something about why I chose to seek this appointment. Beyond my decision to respond to a

newspaper ad, which I saw in the paper earlier this year, I do believe in the importance of volunteer service and community care—giving back to the community in which one resides. No doubt this is a direct consequence of my professional work, working with committed and capable volunteers in many organizations across this country. But I also give credit to growing up in St. Catharines in the family of a family physician and an active Rotarian, who set the standard in this regard.

In my view, local health integration networks were created to help facilitate the management of a very complex, increasingly challenged health care system in this province. While in some ways they are still embryonic as a governance structure—and therefore, I think, still subject to remarkable scrutiny, and appropriately so—I do believe in the importance of integrating the delivery of health services, and trust that with my qualifications and experience, I can play a meaningful role in advancing that objective in southeastern Ontario. It's why I chose to apply, and it's why I'm pleased to be here with you this morning.

I thank you for your interest and for your consideration.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We'll start the questioning in this round with the government caucus.

**Mr. Michael A. Brown:** Good morning, and thank you for coming to see us this morning.

We are very impressed with your credentials. We think that you will provide us with a good, sound view of the way that the health care system in the province, and particularly in your area, needs to work. That's the reason, of course, for the LHINs: One size doesn't fit all, and the LHINs can provide service to the areas that they're in in the most appropriate fashion.

Thank you for putting your name forward. We will be supporting you in the vote.

**Mr. Ian Fraser:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much.

The official opposition.

**Mr. Jim Wilson:** Thank you, Mr. Fraser, for also putting your name forward.

As you know, my party, without prejudice to the witnesses themselves or the appointees, hasn't been voting in favour of LHIN appointments as a general rule, so don't take it personally if that happens again today.

**Mr. Ian Fraser:** I understand.

**Mr. Jim Wilson:** But you are well qualified, and I certainly appreciate the fact that you have the requisite experience for the LHINs. We just have a problem with LHINs.

That brings me around to—you touched on the point of the accountability of the LHINs to the public. You mentioned that perhaps the public—and you're quite right—doesn't understand what they're trying to do, what their purpose is and why they have to spend so much money. Do you want to just take the opportunity to elaborate on how you're going to assist the public or assist the LHIN in that regard?



**Mr. Ian Fraser:** I guess it would begin, Mr. Chairman and Jim, with understanding the issues myself. What I have learned in the process of preparing, through the application process, is the complexity that the organizations are charged with.

I think that, in theory, the concept of creating a governance structure closer to where the services are provided is highly important. While we might agree that, much like democracy, it's not perfect, it's better than many of the alternatives we could consider. So I choose to take an optimistic view and believe that good and considered decisions have been taken to establish this direction, and we should give it time to prove itself. That doesn't mean that we shouldn't watch with care and ensure that the ultimate objectives, as set out by the government, ultimately accountable to the minister, are well advanced.

But I think that to assume that it can be up and running so effectively in such a short time is optimistic at best, and I would like to try to play a role in helping to advance it, because I believe it is a worthwhile endeavour.

**Mr. Jim Wilson:** Along the same line, what experience can you bring to the LHIN, given that you were vice-chair of the hospital board, which was, I guess, one of the largest recipients of funding from the South East LHIN?

0920

**Mr. Ian Fraser:** On a point of accuracy there, I want to clarify that it wasn't the role of vice-chair; it was the role of vice-president of the hospital. I was in a staff role, but I had the privilege of working with some very capable volunteers at that level at the time. As you may know, things have evolved in the last 15 years, both in the system and within the structure in Kingston.

What I've learned from travelling across this province is that I perceive that, as noted earlier, each geographic area is different. The demographics are different. The service requirement issues vary widely. It's about understanding, I think, based on facts and based on a knowledge-based approach, what we require in south-eastern Ontario to not only deliver the current needs but to anticipate the emerging needs.

I believe that from two perspectives—my background and experience working in a hospital, I hope, will add value, although I recognize that I will need to become current on some of the issues under discussion, but equally, what I'm seeing happen in other LHINs across the province. Perhaps I can bring that perspective to the table, as I have had the opportunity to listen, appreciate and hear some of the strategies that other areas of the province have undertaken and considered, which may inform the conversation in our area.

**Mr. Jim Wilson:** Thank you. What are some of the greatest challenges that you can think of facing the South East LHIN at this time?

**Mr. Ian Fraser:** Beyond its geographic breadth and width, which was self-evident?

**Mr. Jim Wilson:** It's true.

**Mr. Ian Fraser:** Because that is a concern I have. Even as we talk about local and regional, I still feel it's a huge geographic scope to try to address such a wide variety of concerns. Notwithstanding that, I recognize it's a common issue across the province.

More specifically in the areas of service, I see two areas that are of concern. One, we can list perhaps upwards of 10 priorities that have been identified by the board in its next three-year plan that speak to specific areas of accessing primary care: wait lists for getting physicians, reducing wait times in ERs and so on. I think those are legitimate issues that warrant being addressed, consistent with the province's priorities but equally to improve the experience of accessing health care services by the citizens of our region.

Where I think the nuance is in that, in my observation—and it's not based on fact—is at the interface between the institutions, the community-based services, the rural and urban considerations as people must travel perhaps long distances to come and access the care they need. Have we done a good job making those processes work well? I think there are process issues, as I've observed what happens—certainly as I think about Kingston specifically, but I'm aware beyond Kingston and across the region. It's little things that don't get conversation, like, "I can't find parking at the institution," or, "I need to get there for a prescribed time and I don't know my way around the community," things that really adversely influence the experience of people.

I guess I come a little bit with a fundraiser's hat on that. If people have those kinds of issues at the front door, they're less inclined to be generous when we need them to support a capital campaign for the equipment that we need and the new facilities that need construction. So it all is of a piece, and I'd like to hope that I can bring some of that view to the discussion even as we deal with critical issues of priority around services.

**Mr. Jim Wilson:** It's interesting that you mention parking. I just had a meeting with the family council of one of my local long-term-care facilities, and that was their number one issue.

**Mr. Ian Fraser:** It's an amazing issue.

**Mr. Jim Wilson:** They wanted new stripes on the parking lot, so I was out painting them on Saturday.

Just in your work as executive director for the Charitable Gift—

**Mr. Ian Fraser:** —Funds Canada Foundation?

**Mr. Jim Wilson:** Yes. Maybe you could tell us what that entails, and will there be any conflict with the many charities that you'd be dealing with under the LHIN?

**Mr. Ian Fraser:** I don't think so, because that organization—it's a client relationship that we have, and I serve in that role really as an objective of advancing philanthropy in this country. But we're really a behind-the-scenes-positioned organization to the national banks: RBC, CIBC and others. We help facilitate the charitable giving of clients of financial institutions through their advisers and facilitate, then, the donor's interest in giving to a wide variety of organizations across the country. We



don't influence their decisions; we're neutral in terms of their interests. It's developed locally.

**Mr. Jim Wilson:** Okay, thank you.

**The Chair (Mr. Ernie Hardeman):** That concludes the interview this morning, and again, we thank you very much.

**Mr. Ian Fraser:** Thank you very much, Mr. Chair. I appreciate it.

**The Chair (Mr. Ernie Hardeman):** It was a long-anticipated wait. Thank you very much for coming in and sharing your experiences with us this morning.

#### MR. RON CARINCI

Review of intended appointment, selected by official opposition party: Ron Carinci, intended appointee as member, Ontario Lottery and Gaming Corp.

**The Chair (Mr. Ernie Hardeman):** Our second interview this morning is with Ron Carinci, member, Ontario Lottery and Gaming Corp.

**Mr. Ron Carinci:** Good morning.

**The Chair (Mr. Ernie Hardeman):** Mr. Carinci, thank you very much for coming in this morning. As with the previous delegation, we will offer you the opportunity to make an opening statement. After the opening statement, we will then have questions from the caucuses, this time starting with the official opposition, for 10 minutes. Each party will be allotted 10 minutes to question you, and hopefully at the end of that we will all be the wiser and that will conclude the interview. So thank you very much for coming in, and I turn the floor over to you.

**Mr. Ron Carinci:** Thank you and good morning. If I'm shaking a little bit and holding my nose, it's because I'm freezing. So if I'm rubbing my hands, it's not because I'm nervous; it's just because I'm cold.

**Mrs. Donna H. Cansfield:** Me too.

**Mr. Ron Carinci:** I'd like to thank the committee for the opportunity to speak with you this morning regarding my proposed appointment to the board of the Ontario Lottery and Gaming Corp.

I was born, raised and educated in Toronto. I attended the University of Toronto and Osgoode Hall Law School. Education has always been a priority to me. I was particularly proficient with numbers, and as such was awarded the Ray Lawson scholarship in commerce and finance. Continuing my education, I attended Osgoode Hall Law School. The combination of legal and mathematical skills formed the foundation of my most prominent strength, which is my ability to identify, analyze and assess risk by reducing problems or strategies to their basic components. This skill has proven successful for numerous corporations that I represented during my legal career of over 15 years and currently in my role as chief operating officer.

The OLG's three core values are integrity, respect and accountability. I believe in and have followed these core values throughout my career. An unyielding adherence to these values is what makes them most effective. It may sound like a difficult task, but as Clayton Christensen

wrote in the Harvard Business Review, life is one unending extenuating circumstance and it is much easier to hold your principles 100% of the time than it is to hold them 98% of the time. Adherence to the core values of integrity, respect and accountability generates client trust and those can be the very factors that drive profit. I have provided my clients with these values on a consistent basis throughout my career, and that has been the cornerstone of my success.

Furthermore, providing clear vision and processes maintains a profitable equilibrium. When an executive team and employees are provided a vision and procedures, but more importantly a true understanding of their basic components and how they yield success, then they will be embraced and followed by instinct. At that time a true corporate culture has been created.

These core values also extend to my family life and are as important to my wife, Adriana. My two daughters, Julia and Alana, attend an International Baccalaureate World School. All IB learners strive to be knowledgeable thinkers who are principled and reflective. These attributes are considered to provide the children with a competitive and socially responsible advantage.

Community involvement is also an important aspect of their education and our family beliefs. I currently serve on the board of directors of the Jays Care Foundation. The foundation has been empowering children and youth in need, inspiring them to make positive choices.

The OLG is facing an exciting and challenging time and I look forward to the opportunity to serve the government and the community. Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you. And with that, we'll go to the PC caucus.

**Mr. Jim Wilson:** Thank you, Mr. Carinci. Thanks for putting your name forward. How did you hear about the position? Were you recruited, or did you just apply on your own accord?

**Mr. Ron Carinci:** Well, I read in the newspaper when the appointment of Paul Godfrey was announced. I had worked with Paul in my capacity as counsel for Rogers Communications and as a member of the Jays Care Foundation. I had congratulated him on the appointment and asked, if there was any help, if he ever needed it—and he directed me to the public secretariat's office, and I made my application through that.

0930

**Mr. Jim Wilson:** So you're a bugger for punishment, basically, eh?

**Mr. Ron Carinci:** Basically.

*Interjections.*

**Mr. Jim Wilson:** Can we put that off the record?

Urbacorp group of companies, I gather, are major industrial-commercial developments, from what—

**Mr. Ron Carinci:** Yes.

**Mr. Jim Wilson:** The OLGC gets involved in some major capital developments, too. Have you ever done work for them?

**Mr. Ron Carinci:** Not in my experience at the company for four years now, I haven't seen anything, no. We



are currently doing work with the government in different areas. Ontario Realty Corp. is an example. We're doing their head office at Jarvis and Dundas, and the Keele and 401 project, the hospital—we're doing the infrastructure work at that location.

**Mr. Jim Wilson:** All right. But you've carefully thought through whether there would be any conflicts of interest going forward?

**Mr. Ron Carinci:** I don't believe there would be.

**Mr. Jim Wilson:** What do you know about the gaming industry in general? Any experience in the past at one of the different sectors that it runs?

**Mr. Ron Carinci:** I've never represented anyone in my legal career, but I have represented corporations all the way from manufacturing to telecommunications to financial industries. I've made it my business to learn their business to make myself more effective.

**Mr. Jim Wilson:** Any thoughts on online gambling?

**Mr. Ron Carinci:** Online gambling is an important aspect of the gambling industry. I understand that the OLG will be undergoing a 12- to 18-month research program to investigate how it would work. I believe that it would take that amount of time to be able to ascertain.

**Mr. Jim Wilson:** Are you familiar with the recommendations that have come out of the KPMG audit of the lottery corporation's processes or the report of the Ombudsman of Ontario? Have you reviewed those reports?

**Mr. Ron Carinci:** What I do understand from those two reports basically was with respect to insider wins and having to deal with customer complaints along those lines. They made various recommendations which, from what I understand, have been mostly implemented on how to deal with insider wins.

**Mr. Jim Wilson:** Okay. That's all I have, Mr. Chairman. Thank you, sir.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown?

**Mr. Michael A. Brown:** Thank you for putting your name forward. I believe you to be a valuable member of the board, provided we provide confirmation today, which I can assure you the government members are quite willing to do. So thank you, and we look forward to your good work on the board.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. That concludes the interview.

I have one question for clarification. I notice that on your application it was for a full-time position. The information I have here is that the appointment is for a part-time position. You're aware of that?

**Mr. Ron Carinci:** Yes, I do know it's a part-time position, not a full-time position.

**The Chair (Mr. Ernie Hardeman):** Thank you. With that, we thank you very much for coming in and for sharing your insight with us. We look forward to dealing with it following all the interviews this morning. We wish you well for your future endeavours.

**Mr. Ron Carinci:** Thank you.

## MS. DIANE GEE

Review of intended appointment, selected by official opposition party: Diane Gee, intended appointee as member and chair, Public Sector Compensation Restraint Board.

**The Chair (Mr. Ernie Hardeman):** Our third and final interview this morning is Diane Gee as a member and chair of the Public Sector Compensation Restraint Board.

Diane, obviously you've been watching the process, and you knew exactly to take the chair at the appropriate time, the one with the light on. We thank you very much for coming in this morning. As with the other delegates, we will offer you an opportunity to make an opening statement. On completion of that, we will have the rotation of the caucuses, who will get 10 minutes each to ask any questions they may have on your presentation, and then that will conclude the interview.

With that, thank you again for coming in. The floor is yours.

**Ms. Diane Gee:** Thank you very much for inviting me here today. It's my pleasure to be here.

I thought I would just give you a brief overview of my educational and professional background, set out for you the appointments that I currently hold and then explain to you how it is that I came to be nominated for this particular position.

I have a BA in political science from the University of Toronto and an LLB from Osgoode Hall Law School.

I began my professional career by working as an associate in a law firm that specializes in employment and labour law, and I worked exclusively in the areas of employment and labour law until I was appointed to the Ontario Labour Relations Board as a vice-chair in 1994. In 1994, I was appointed to the board as a construction industry division vice-chair and I worked in that capacity until 2002, when I returned to private practice. I returned to private practice, again, on management side, practising exclusively in the areas of employment and labour law. I became a partner at a law firm until I left in August 2007. I then became the vice-president of labour relations at Loblaws and I remained there for one year, until I was appointed back to the labour board—this time, though, as the alternate chair.

I received two appointments at that time, and it was the common practice for that to happen. I was appointed the alternate chair of the labour board, but I was also appointed to chair the Pay Equity Hearings Tribunal. That was consistent with a practice that has been developing amongst adjudicative tribunals in this province, to try to cluster agencies to take advantage of the resources and the personnel and save costs. So I was given two appointments; however, as you obviously assume and are aware, that comes with one salary.

I served in that capacity until the chair of the Ontario Labour Relations Board was appointed to the bench. That happened quite recently, in May of this year. When you're appointed to the bench, you must immediately



leave your position. Given the suddenness of the chair's departure, I was asked to serve as the interim chair at the Ontario Labour Relations Board. As matters currently stand, I chair the Pay Equity Hearings Tribunal and I serve as interim chair of the Ontario Labour Relations Board. Those are my two current appointments.

This particular board, as you're well aware, is a new board. It is being created by a new bill. I was asked by the Deputy Minister of Labour to give a reference for an individual who was being considered to be appointed chair of the Public Sector Compensation Restraint Board. I gave my reference, but I also couldn't resist commenting that I found it ironic that in a piece of legislation designed to save money, we were at the same time creating a new board and appointing new people—especially in an environment where adjudicative tribunals were in the practice of clustering and sharing resources, sharing expertise. I shortly thereafter got a message back saying, "Well, that's fine. So does the labour board then have an interest in recommending somebody to fill the position, if that's your view?" And I did recommend somebody, and I got the message back, "Would you be interested in doing it?" Perhaps that was as a result of the fact that I had already educated myself about the bill, the legislation, what the jurisdiction of the board was and had already given the matter some thought.

So I said, "Yes, I would be interested in serving." I understood the position wouldn't require a great deal of work. Given the position that I already filled, I had the resources readily at hand to create the rules, the practices, the documents, the application forms etc. that would be required. I could do that quite readily. I didn't expect the number of applications that would come before this board to be considerable, and I hope I'm right in that. I also fully expected, as the legislation anticipates, that other vice-chairs would be appointed, so it wouldn't be entirely on my shoulders.

That being the case, I did file an application, and I am now here today before you for consideration.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. With that, we'll start the questioning with the government.

**Mrs. Donna H. Cansfield:** I just want to say thank you. Labour law is very complex, isn't it? My involvement for many years was with the school board sector, and certainly, when you say someone's a bear for punishment, labour law would do it for me. So thank you, first of all, for putting your name forward.

Thank you for also thinking about the fact around clustering, how important that is, and the fact that we could bring together that expertise through you or through someone as opposed to creating, yet again, another agency or another sector that we'd have to, again, pay for.

0940

Also, probably what you'll do, if all things go according to Hoyle here around the appointment, is you'll probably give this a very thoughtful approach in terms of how you can actually do this better, because you will

have some time constraints, you will have some opportunities to bring other interests to the table in your capacity at the labour board.

I think what you've done is a very thoughtful approach to how this could be done. I just want to say thank you for bringing your name forward, and we certainly will be supporting you.

**Ms. Diane Gee:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. PC caucus, Mr. Wilson.

**Mr. Jim Wilson:** Ms. Gee, thank you very much also for putting your name forward for this new board. I'm not quite sure what it does. I guess it was created under the Public Sector Compensation Restraint to Protect Public Services Act, 2010. I gather from our notes that the board decides whether a particular employee is constrained by the act or covered by the act.

**Ms. Diane Gee:** The board has extremely limited jurisdiction, and that's why my anticipation that there'd be little work at the board. The board only has the jurisdiction to determine whether or not, first, an employer is covered by the act, and if so, whether an employee is covered by the act. Obviously that issue would only come to the board if there was debate about the issue.

**Mr. Jim Wilson:** But if we're going into a period of restraint, and if people don't like restraint, don't you think they might flood the system with at least testing whether they're covered by the restraint or not?

**Ms. Diane Gee:** Again, this is one of the advantages of using existing adjudicators and existing tribunals. I think the labour board at least prides itself on being what we call a modern adjudicative tribunal in that we're constantly trying to deal with an ever-increasing caseload expeditiously, using what we call modern adjudicative techniques. Often we will deal with things in writing. We'll say, "Okay, set out your full case with all of your documents attached in writing." We pick those files where the decision will largely be determinative of a large number of other files that we see existing in the system. So I think if there's any flooding that takes place, we at least have the resources and the experience to deal with it.

**Mr. Jim Wilson:** Okay. Again, not knowing very much about how this is all going to work, is it possible that you would be dealing with a case or cases involving a particular employer in your job under the labour relations board and also have to adjudicate in your new position?

**Ms. Diane Gee:** Yes, and that's true of the Pay Equity Hearings Tribunal as well. That's common.

**Mr. Jim Wilson:** Common and accepted, I guess.

**Ms. Diane Gee:** Yes, it is. As a matter of fact, years ago there was thought given to not just clustering these agencies but actually making them one umbrella organization, because the issues that would arise under these various pieces of legislation often intercept, and it was thought years ago to just combine them all into one for that very reason.

**Mr. Jim Wilson:** Deal with all the issues at once.

**Ms. Diane Gee:** Yes, exactly.

**Mr. Jim Wilson:** Okay. Thank you again.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will consider the concurrence, with the appointments of this morning following this.

Again, we thank you very much for coming in, and we wish you well in your future endeavours.

**Ms. Diane Gee:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Maybe the question would just be, do you make a list of all the boards that you could put under one umbrella?

**Ms. Diane Gee:** Certainly.

**Mr. Jim Wilson:** I think that was our idea, Mr. Chairman.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning.

We'll now deal with concurrences. We'll first consider the intended appointment of Ian Fraser, intended appointee as a member of the South East Local Health Integration Network. Can we have someone to move concurrence?

**Mrs. Donna H. Cansfield:** I'll so move.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Further discussion? If not, all those in favour? Opposed? The motion's carried.

**Mrs. Donna H. Cansfield:** Do you want a recorded vote? I guess we should on all of these.

**The Chair (Mr. Ernie Hardeman):** It does require that you say, before the question is put, that you would like it recorded.

**Mrs. Donna H. Cansfield:** I apologize. I thought there was a comment made earlier that all votes would be recorded, so I just made the assumption they would be, but I'll ask for each before.

**The Chair (Mr. Ernie Hardeman):** Next is to consider the appointment of Ron Carinci, member for the Ontario Lottery and Gaming Corp. We have a motion to concur with the appointment.

**Mrs. Donna H. Cansfield:** A recorded vote, Mr. Chair, please.

#### Ayes

Cansfield, Carroll, Johnson, Pendergast.

#### Nays

Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Our third consideration is the intended appointment of Diane Gee, member and chair, Public Sector Compensation Restraint Board. Motion to concur?

**Mrs. Donna H. Cansfield:** A recorded vote, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

#### Ayes

Cansfield, Carroll, Johnson, Pendergast, Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

That concludes dealing with the concurrences and with all those who were interviewed this morning. Thank you very much for that. It looks like we were able to do it in slightly less time this morning than we had previously anticipated.

Is there any further business of the committee?

**Mr. Jim Wilson:** Did you deal with subcommittee reports?

**The Chair (Mr. Ernie Hardeman):** Yes, we did.

**Mr. Jim Wilson:** How did you deal with the subcommittee reports when no member of the opposition was here?

**The Chair (Mr. Ernie Hardeman):** There's no requirement of any particular party being here. We must have a quorum of the committee, and we had a quorum.

The next meeting will be at 8:30 Tuesday morning, September 28.

**Mrs. Donna H. Cansfield:** At 8:30?

**The Chair (Mr. Ernie Hardeman):** At 8:30, yes. That way, we can have one extra interview in it, as our number of applicants is growing. So in the interests of time, we'll start a half an hour early with the interview.

With that, we'll adjourn the meeting.

*The committee adjourned at 0946.*









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Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 28 September 2010

# Journal des débats (Hansard)

Mardi 28 septembre 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

Nominations prévues

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 28 September 2010

Mardi 28 septembre 2010

*The committee met at 0833 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** We'll call the meeting of the Standing Committee on Government Agencies to order. Thank you very much for coming, and particularly for coming earlier than the normal starting time.

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** The first order of business we have this morning is the approval of the subcommittee report dated Thursday, September 23. Do we have a motion to approve the subcommittee report?

**Mr. Michael A. Brown:** Chair, I move approval of the subcommittee report on committee business dated Thursday, September 23.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Any discussion?

**Mr. Jim Wilson:** Just one sec.

**The Chair (Mr. Ernie Hardeman):** Any discussion? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MR. JASON MELBOURNE

Review of intended appointment, selected by official opposition party: Jason Melbourne, intended appointee as member, Ontario Lottery and Gaming Corp.

**The Chair (Mr. Ernie Hardeman):** We'll then carry on with the delegations this morning. Our first is Jason Melbourne. Jason is recommended as a member of the Ontario Lottery and Gaming Corp. Is Jason present?

**Mr. Jason Melbourne:** Yes.

**The Chair (Mr. Ernie Hardeman):** Jason, if you will take a seat at the end of the table. Thank you very much for coming in. Our practice is that we will allow you some period of time for opening remarks and to tell us about yourself, and upon the completion of that we will have questions from all three parties and split them at 10 minutes each. This round will start with the official opposition.

With that, Jason, we turn the floor over to you to make your opening remarks.

**Mr. Jason Melbourne:** Wonderful. Thank you. Mr. Chairman, committee members and others, good morning. My name is Jason Melbourne and I'd like to thank you for the opportunity to come before you as a

nominee for board membership of the Ontario Lottery and Gaming Corp. I am extremely honoured and deeply humbled to be here this morning in the confines of this all-important chamber.

I was born in Ottawa 38 years ago to immigrants from Jamaica. My father is a practising physician and my mother is a retired registered nurse. I am the older of two sons; my brother is a dentist here in Toronto. I am married to my wife, Laurie. We have three wonderful children, Marley, Clayton and Kaya, between the ages of six and three.

I reside in this city, where I was raised and received my early education. I attended Crescent School, an all-boys school that emphasized the importance of character. It is here that I quickly developed important leadership qualities. In my final year of Crescent, I was voted head boy by my peers and faculty members. This was an honour that I took quite seriously, and I carried out my duties with great pride.

I continued my education at the University of Western Ontario, where I received a bachelor of science undergraduate degree, and later I attended the University of Toronto and graduated with a master's degree in business administration.

My entire adult life has been spent working in the investment industry, first as an investment banker and, more recently, a partner in a very successful brokerage house. Currently I am a managing director of institutional equity sales of an amalgamated financial institution in Toronto named Canaccord Genuity.

I am fully aware of the core ethics and principles of any corporation. I understand the values that have to be practised: integrity, commitment, wisdom and accountability. I was raised in an environment where my parents instilled in us high moral values: the importance of honesty, kindness, humility and community involvement. All these basic principles I live by and strongly believe have prepared me for almost any situation.

0840

If appointed, I look forward to facing the many challenges that a corporation such as the OLG may bring. I believe that my personal and professional experiences, along with my ability to work with various individuals, would be an asset. These qualities, I believe, would help continue the record of excellence that the OLG currently displays.

Thank you very much, ladies and gentlemen.



**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We'll start with the official opposition. Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Mr. Melbourne, for coming in this morning. I don't have too many questions other than, do you want to go over again what you bring to the board and how you came about seeking this position?

**Mr. Jason Melbourne:** Absolutely. I was made aware of Mr. Paul Godfrey's appointment to chair the board while on vacation earlier on this year. Upon returning from vacation, I received a call from Mr. Godfrey asking whether I would be interested in putting my name forth with respect to pursuing a nomination on the board of the Ontario Lottery and Gaming Corp. I swiftly accepted.

What I feel I bring to the board is—given my extensive financial background and the fact that OLG is a \$7-billion agency, I think I can bring a keen insight into the financial performance of the corporation, specifically as it pertains to ensuring a continued dividend to the corporation's largest shareholder, namely the province; on top of that and perhaps equally as important, making sure that we continue to practise prudent expense management so as to meet the expectations of the general public.

**Mr. Jim Wilson:** One of the reasons we're going through all of this, of course, is because of the auditor's report and the Ombudsman's reports in the past. Particularly what irked the public is the employee expense practices at OLGC at the time. Do you have any thoughts on that?

And I just ask you, not in a partisan way—it was over a year ago that the Premier promised that employee expenses would be put online. They're not online yet. Do you think you can do anything about that if you join the board?

**Mr. Jason Melbourne:** Well, without, obviously, having been on the board and with a lack of the complete picture, what I would say is that I am aware of both the KPMG report, which obviously pertains to insider wins at the retail level, and the consumer issues or the issues that the community had with respect to that. I am also aware of the Auditor General's report, and my understanding is that the new board is in the process of making sure they implement the majority of those recommendations that were made by the Auditor General.

**Mr. Jim Wilson:** Online gambling is something that's somewhat controversial. Do you have any thoughts on that new avenue that the corporation is going on?

**Mr. Jason Melbourne:** What I would say is—again, without the benefit of the entire picture—from my perspective what I would suggest is this: My view is that online gaming is unquestionably a rapidly growing subsector of the gaming industry. My view is that the OLG has a couple of key obligations. I think it's important for them to keep up with the times and be current. On top of that and perhaps more important, I think it's very important for the OLG to ensure a very safe and responsible online gaming presence for the

citizens of the province. Now, it's my understanding that the OLG has decided to take a 12- to 18-month period of time to carefully analyze and study the pros and cons of online gaming, and I think that's the prudent approach to take.

**Mr. Jim Wilson:** Thank you. Do you have any past political affiliations?

**Mr. Jason Melbourne:** No, sir.

**Mr. Jim Wilson:** Thank you for coming in.

**Mr. Jason Melbourne:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** We'll give the third party an opportunity to adjust. We'll go to the government first and then go back to the third party.

**Mr. Michael A. Brown:** Thank you, Mr. Melbourne, for putting your name forward. You are obviously well qualified and will bring some admirable qualities to the board and a different perspective, I think. We appreciate you putting your name before us today, and the government will be concurring in your appointment.

**Mr. Jason Melbourne:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you. It wasn't much extra time, but the third party—Mr. Bisson.

**Mr. Gilles Bisson:** No, I had a chance to read the information last night.

How did you end up applying for this? Did you find about it or were you called?

**Mr. Jason Melbourne:** Again, I was on vacation when I was made aware, reading one of our local papers—while I was away, I was made aware of Mr. Paul Godfrey's appointment to the chairman of the board. Subsequent to returning from vacation, I received a call from Mr. Paul Godfrey asking whether I would be interested in putting my name forth with respect to pursuing a nomination on the board of the Ontario Lottery and Gaming Corp., and I accepted immediately.

**Mr. Gilles Bisson:** And where do you know Mr. Godfrey from?

**Mr. Jason Melbourne:** I've known Mr. Godfrey and his family for roughly 27 years. I used to attend high school with his eldest son.

**Mr. Gilles Bisson:** Okay, so a personal connection there.

Do you have a particular interest in this area, or does this just sound like a good gig?

**Mr. Jason Melbourne:** I have no formal work experience of, nor have I ever advised any company within the gaming industry. Having said that, I believe the gaming industry to be a rapidly growing and very much quickly changing industry, so I continue to read, do all kinds of research and keep up to speed.

What I do know about the OLGC is that they do have 27 properties, 17 of which are slots at racetracks, four of them are resort casinos, and six of them, I believe, are charity casinos.

**Mr. Gilles Bisson:** So other than your personal connection, what particular skills was he looking for when he talked to you? Was there a particular thing that you did that he thought was maybe interesting for you to sit on the board with?



**Mr. Jason Melbourne:** I have been involved in the finance industry downtown here in Toronto for north of 13 years since I graduated from a master's in business at U of T, so I think it's the wealth of my financial experience that I can bring to the table in terms of ensuring the corporation continues to perform optimally in terms of its financial performance.

**Mr. Gilles Bisson:** All right. Here's the million-dollar question: I was reading that you work giving advice in regards to equity. So how did you make out in the melt-down?

*Laughter.*

**Mr. Gilles Bisson:** No, seriously. Did you advise your clients to get out or did you do like everybody else, where everybody hung up and lost their shirts?

**Mr. Jason Melbourne:** That's an excellent question. I am a very conservative investor. The majority of my personal funds are owned—

**Mr. Gilles Bisson:** No, I mean the ones that you advise on.

**Mr. Jason Melbourne:** Just so we're clear, I'm not a retail broker; I'm an institutional salesperson. As such, my clientele are definitely the large-cap pension funds, mutual funds, hedge funds and the like. Those types of funds, interestingly enough, need to be fully invested, by and large, at all times. There aren't many retail investors that give their money to a mutual fund manager such that they can hold it in cash. As a result, my accounts typically tend to move when the market's rolling over from more of the cyclically oriented names, whether those be in the base metals, oil and gas, technology, and in the more defensive sectors of the market, i.e., health care and consumer staples.

**Mr. Gilles Bisson:** So in other words, they lost money as well.

**Mr. Jason Melbourne:** When the market's going down, typically everybody is kind of losing money. The trick to the game is to make sure you lose less than the benchmark.

**Mr. Gilles Bisson:** Well, let's hope you do better with the lottery corporation.

**Mr. Jason Melbourne:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. I'm sure that that was a lesson well learned on the investment world. Thank you very much for coming in. That concludes the interview, and we thank you very much for taking the time to come and speak to us. We look forward to making a decision at the end of our interviews today, and we do wish you well in your future ventures.

**Mr. Jason Melbourne:** Thank you very much, ladies and gentlemen. I appreciate your time.

**The Chair (Mr. Ernie Hardeman):** Thank you very much, Jason.

## MS. CHARLOTTE BURKE

Review of intended appointment, selected by official opposition party: Charlotte Burke, intended appointee as member, Ontario Lottery and Gaming Corp.

**The Chair (Mr. Ernie Hardeman):** Our second interview is with Charlotte Burke, intended appointee as a member of the Ontario Lottery and Gaming Corp.

**Ms. Charlotte Burke:** Good morning.

**The Chair (Mr. Ernie Hardeman):** Charlotte, as you're coming forward, as we did with the previous one, we will provide you with an opportunity to make opening remarks as you wish. Upon completion of your opening remarks, this time around we will have 10 minutes of questions, an opportunity for each party, and we will start with the third party in this round.

**Mr. Gilles Bisson:** Did you have any comments first?

**Ms. Charlotte Burke:** Yes, I do have comments first.

**Mr. Gilles Bisson:** Okay, thanks.

0850

**The Chair (Mr. Ernie Hardeman):** Thank you very much, Charlotte. The floor is yours.

**Ms. Charlotte Burke:** Thank you very much. Mr. Chairman, members of the committee, I appreciate the opportunity to appear before you this morning and provide you with an overview of my qualifications for a board of director role with the OLG. Although each of you has been provided a copy of my online application, I thought I would take a few moments to elaborate on my background and its relevance to this position.

I am by no means an expert in the area of lottery and gaming, but I do believe I can make a meaningful contribution to the board of the OLG. First and foremost, the OLG is a complex business, with operational, regulatory and technological challenges that impact the communities and people across Ontario. As a director, I would bring over 25 years of general management experience, including the leadership role of Canada's largest ISP and most popular online consumer portal. During my tenure as the head of Bell's Internet business, we grew the business from \$250 million to over \$1 billion and during that time gained significant experience in the day-to-day challenges of scaling a business. I believe all of this experience and learning can be applied to the governance and strategic leadership a director would provide at the OLG.

I also believe that if you asked people who worked with me, they would describe me as a straight shooter with a solid business acumen and a passion for leading businesses through transformational change. I am also someone who, faced with difficult decisions, will do their homework, analyze the options and execute a fact-based decision.

An example of this would be the issue regarding online safety of children. In 2006, this was an emerging issue facing all communities, and working in collaboration with law enforcement, private agencies, government and the industry sectors, we set up a process to track, remove, and enforce the law that resulted in



better-educated families and the removal of over 2,000 offensive websites in Canada.

Why I bring up this particular example is that we could all have abstained and left it to others, but we engaged, sought out expert advice and collaborated with others, and by participating, we learned a great deal about the needs of families, the technology and the effect of changes within the legal framework to facilitate a safer Internet. I'm proud to say we raised over \$2 million in private funding and were recognized in North America in 2007 as the leaders in online security by our industry peers.

In addition to my corporate background, I have an undergraduate degree in accounting from Acadia and an MBA from Harvard Business School. I am currently serving on the board of Acadia University, where I'm also chairman of the academic resources committee, the business school and on the audit committee. I also have continued to serve on a number of other boards.

For the past two years, I have successfully run my own consulting firm, focusing on advising early-stage start-ups and large companies seeking commercial technology. I serve as an adviser at MaRS innovation centre and I'm also employed three days a week at the BDC venture group, investing in Canadian companies. As you can tell, my passion is working with and helping companies innovate and create new opportunities for the Canadian economy.

In closing, I think it's also worth noting, on a more personal side, that I come from an entrepreneurial east coast family who owned hotels and restaurants, and throughout my life, have gained a solid knowledge of the hospitality industry. In addition, my family were also active participants in rural harness racing, and although we no longer have horses, we did race throughout Canada and the eastern United States. I believe both these experiences give me a much better appreciation for the community impact of these industries in Ontario.

So I'd like to thank you for the honour of being here and considering me as a board member, and hopefully I can make a meaningful contribution to the OLG.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will now start the questioning with the third party.

**Mr. Gilles Bisson:** Thank you for your presentation. You'd be aware of the scandal that took place at OLG a few years back. What's your view about all of that in regards to this sort of culture of entitlement that existed there?

**Ms. Charlotte Burke:** Well, I've read the report, and in some cases, there were compliance issues with expenses. There was also what I would consider to be sort of excessive limits on a number of the entertainment and expense practices, and some of them were legacy and some of them required significantly better governance. So I understand that, as a new board member, ensuring that the recommendations are put in place and that—not just put in place but also monitored and audited and enforced.

More importantly, though, I think there's a need to change the culture, and that doesn't necessarily change overnight. That starts at the top, and you've got to walk the talk and expect that same performance from all your employees.

**Mr. Gilles Bisson:** How do you personally feel about gambling? I'm just curious. You can be in favour or oppose; I really don't care, but I'm going somewhere with this.

**Ms. Charlotte Burke:** Okay. Let me see where you're going to lead me.

**Mr. Gilles Bisson:** How much do you want to bet?

**The Chair (Mr. Ernie Hardeman):** It's really nice when you win.

**Mr. Gilles Bisson:** Yeah.

**Ms. Charlotte Burke:** Yes, it's very nice if you win. Obviously, having grown up in harness racing, I'm very familiar with gambling. I believe that it can be fun, but I also believe that it requires governance and regulation and, more importantly, for the 4% or less of the population who engage in it in an excessive way, we have to encourage that not to happen through education, but also be there to support it when it does.

**Mr. Gilles Bisson:** Yeah, because there have been cases—and some have been written up—where people have lost excessive amounts of money. Even after being barred from casinos, they were enticed to get back in. There was a particular case in Niagara Falls. I'm asking the question from the perspective: How proactive do you think the board should be and, in turn, the OLG towards making sure that we identify problem gamblers, and should we bar them from casinos and other gaming activities controlled by OLG?

**Ms. Charlotte Burke:** Certainly as a board member our role is to drive strategic direction and influence the overall goals and operational metrics of the organization. So, in that regard, I don't think—we would look to both the outside regulatory but also the executive within the OLG to set the actual recommendations and policies. So, without getting into all the detail and not knowing all the detail, I think I'd have to consider what all the options were and go with the best course.

**Mr. Gilles Bisson:** You come out of harness racing. Is it your belief that harness racing has been harmed by off-track slot machines etc.?

**Ms. Charlotte Burke:** I don't have enough facts to actually respond to that. Certainly as an industry overall, it's my understanding that it has, in some regards, been positive in the sense of providing for larger purses, which provide for greater investment into the breeding and the horse side, but I don't actually know enough detail there.

**Mr. Gilles Bisson:** What's your view on the new initiative in regard to online poker and all that stuff that OLG will be getting into?

**Ms. Charlotte Burke:** I think there are three points to be made with that. The first is that it's happening anyway, and it's happening in the shadows beyond regulation and beyond the control of government, causing abuse and harm to many of our citizens who



participate in Ontario. I believe that to be engaged means that you can learn and that if people are doing it, then they need a trusted place in a regulatory environment to be able to do it in.

**Mr. Gilles Bisson:** That was kind of what my question was, because it's going to happen anyway. People are, by larger and larger numbers, going online to play poker and various things. By Ontario getting into it, how much of an impact at the end do you think it really would have in being able to deal with those who are problem gamblers?

**Ms. Charlotte Burke:** I think one of the greatest impacts is that by participating, there's tremendous learning that happens. The Internet, by its nature—and I think this is a value that I can bring from my background to the board—is an anonymous technology, so, more and more, passwords and ID authentication aren't enough.

I think the OLG is being prudent in taking time to investigate this and seek the advice of experts. There are many new emerging online security technologies that I believe will be really important to employ in order to protect people who are not within the adult age to make the decisions to be a participant.

**Mr. Gilles Bisson:** How did you come to apply to this position?

**Ms. Charlotte Burke:** I actually received a phone call from a classmate of mine. He had seen the request on the government website and said, "Charlotte, given your background and your passion for wanting to get involved in things, I think this would be really interesting for you to pursue." So I went online, looked at it, filled out the application, and then I also met with Paul Godfrey.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The government?

**Mr. Michael A. Brown:** Thank you, Ms. Burke, for putting your name forward. You bring a unique skill set to this appointment. I look forward to your work on the board. The government will be concurring in your appointment.

0900

**The Chair (Mr. Ernie Hardeman):** Ms. Carroll.

**Mrs. M. Aileen Carroll:** Only to add, being a graduate of St. Mary's and having gone to Dalhousie, even though you went to Acadia, I'm concurring with our side.

**Ms. Charlotte Burke:** We Maritimers stick together.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That's it for the government.

The opposition? Ms. MacLeod.

**Ms. Lisa MacLeod:** It's appropriate, I think, that somebody from St. FX actually gets the last word, which is a far better school than both of those.

*Interjections.*

**Ms. Lisa MacLeod:** They're all in Toronto today.

In any event, welcome to the committee. It's nice to see that they brought somebody with some experience in the harness racing industry. I think it has been quite hard hit. This committee has, in the past, reviewed that industry and has had some recommendations for the ORC, but also I think it speaks to how its relationship

works with OLG and the slots. I'm just wondering if you were able to read that report.

**Ms. Charlotte Burke:** I actually didn't read that report but I certainly will.

**Ms. Lisa MacLeod:** We had four very important points. It was a consensus report from all three political parties to discuss the importance of harness racing here in Ontario to the agricultural sector, but also how we shouldn't have slots at the racetracks if there is no racing. I'd like your opinion on that.

**Ms. Charlotte Burke:** Obviously, again, I want to do my homework on that, but it's hard not to answer that with a little bit of passion, which is, having grown up in harness racing—I have a cottage on Prince Edward Island and spend most of the two weeks in August of Old Home Week attending the races—

**Ms. Lisa MacLeod:** I used to go to those races with my family.

**Ms. Charlotte Burke:** And listening to the—  
*Interjection.*

**Ms. Lisa MacLeod:** I was so young, and I was betting with my two dollars. It was long before we had toonies.

**Ms. Charlotte Burke:** It was interesting to attend this year because all of the horses racing in the Gold Cup and Saucer were from Ontario and Quebec.

Anyways, I have a passion for it. Obviously, it'll be an area that I want to be well educated in—

**Ms. Lisa MacLeod:** You would be an advocate for our harness horsemen, then. That's good.

I have a quick question for you. Today in the Toronto Star there was a massive Angus Reid poll that came out. One of the pieces of data that came out is very telling for something that you're about to embark on at the OLG, and that is online gambling. My colleague from Timmins-James Bay has already talked a little bit about it, but 71% of Ontarians oppose online gambling, according to this poll. That's what we're hearing in our communities as well.

I think that, given the challenges that the OLG has seen, you've got two issues: One is, people feel that there's a lack of trust with the OLG based on some of the scandals that it has seen. Second, it just seems so abrupt. There's not a lot of confidence that this will be the right thing to do for Ontario.

Given your background in the IT sector and now that you'll be at the OLG, how do you think this needs to be implemented and how do we best protect Ontarians? I'm specifically thinking about the 14-year-old boy who may see his mom's credit card and may decide he wants to place a little bit of a bet, and then, all of a sudden, mom looks and there's a several-thousand-dollar charge on her credit card. How are we going to protect Ontarians, and is this the right thing to do, given some of the challenges the OLG has faced and given the fact that we've got a brand new board that has to clean up so much of the mess from the previous incarnation of this?

**Ms. Charlotte Burke:** Two pieces to that. First of all, I don't want to punt it but I think that the most important piece is that the homework get done and the facts be



gathered, in particular in terms of what exactly is happening online, what the growth areas are, who's participating and so on. I would rather see the people who are gambling, gambling in a safe and well-authenticated environment. Now, whether at this point that's the OLG or it's done through regulation, I think that's one of the main reasons why we have to take our time here. If we go down the path of participating in online gambling, then it's got to be done with 100% commitment to the right level of security and authentication. I suspect, given what I know in that area, it won't be as simple as a credit card. It will need secondary, off-PC authentication to take place.

By participating, we learn; by learning, we can change regulation. This is such a fast-paced world that if we stand on the sidelines, we may never understand what's happening to the rest of the members of the Ontario community who are participating in offshore gambling.

**Ms. Lisa MacLeod:** Right. So you're urging caution?

**Ms. Charlotte Burke:** Urging caution, because even if we go forward full force, it's got to be done right. This can't be implemented at 99%; it's not an option.

**Ms. Lisa MacLeod:** What's your time frame? Because you're not there yet. What, in an ideal climate, would be the time frame to roll out something like this? It's not done overnight. You're looking at 100% compliance, or 100% solid system, so this shouldn't be done shoddily over sort of the next six months.

**Ms. Charlotte Burke:** I think the timeline that's been set is reasonable, but there are many stages and gates along the way. Of course, we've seen in other jurisdictions that just launching without piloting and going through the normal IT gates is not the way to take anything like this to market.

**Ms. Lisa MacLeod:** Just one final question: Earlier this year I put forward a private member's bill which was called the Truth in Government Act. It would have encouraged—or would have made it the law—government agencies to post their expenses online: travel, hospitality. Mr. McGuinty, the Premier, had indicated that the OLG would be doing that, and it hasn't happened. How comfortable are you with a policy like that to protect taxpayer dollars?

**Ms. Charlotte Burke:** That's hard to answer without understanding the cost-benefit analysis, right? I don't know what it costs to build that.

**Ms. Lisa MacLeod:** No, no, it doesn't cost anything. It would essentially—if you're going away, you're going to have to file your expenses. Those expenses would just be put up online as one of the extra steps that occur. Let me just say, it's done federally and it's done in several other provinces. It's not really a cost issue as much as it is a benefit issue.

**Ms. Charlotte Burke:** I'd have to understand all the pieces of governance that need to go in place.

**Ms. Lisa MacLeod:** So you wouldn't put your expenses online.

**Ms. Charlotte Burke:** I didn't say that. I just—

**Ms. Lisa MacLeod:** Would you put your expenses online?

**Ms. Charlotte Burke:** I'm not sure I understand what you mean by "online." I mean, expenses are filed online today. Do you mean publicly post it online?

**Ms. Lisa MacLeod:** Yes.

**Ms. Charlotte Burke:** No, I wouldn't.

**Ms. Lisa MacLeod:** Okay.

**Ms. Charlotte Burke:** I wouldn't put them online because of the amount of travel I do, and I'd have a safety concern.

**Ms. Lisa MacLeod:** Okay. I'm talking about with the OLG, not your own private—

**Ms. Charlotte Burke:** I don't have enough details as to what the issues would be there, but I can say, as a person who has concern for both the safety of myself and my daughter, I would not want people knowing where I travel.

**Ms. Lisa MacLeod:** I guess, as a public servant, you're not willing to—

**Ms. Charlotte Burke:** I'm absolutely willing to go through whatever level of governance and checks and balances, and adhere to the policies of any expense program, but not to put it publicly out so people would know where I was travelling. I don't want people to know my travel patterns.

**Ms. Lisa MacLeod:** That's very instructive, as a public servant. I think that many of us here are public servants, and I think people know where we travel. I think that if you're spending taxpayer dollars, you have to be transparent and accountable.

**Ms. Charlotte Burke:** I absolutely believe you have to be transparent.

**Ms. Lisa MacLeod:** It's very instructive that you're not willing to post that online. Thank you very much, Chair.

**The Chair (Mr. Ernie Hardeman):** We thank you very much for your presentation. That concludes the questioning. We thank you for coming forward, and we will make a decision on the concurrence or the lack thereof for your appointment after all the interviews this morning. We thank you very much for coming in, and we do wish you well in your future endeavours.

**Ms. Charlotte Burke:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you.

#### MS. VICTORIA CHIAPPETTA

Review of intended appointment, selected by official opposition party: Victoria Chiappetta, intended appointee as member, Ontario Lottery and Gaming Corp.

**The Chair (Mr. Ernie Hardeman):** Our third interview this morning is Victoria Chiappetta.

**Ms. Victoria Chiappetta:** Good morning.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for coming in this morning.

**Ms. Victoria Chiappetta:** No problem. It's a pleasure to be here.



**The Chair (Mr. Ernie Hardeman):** As with the previous ones, we will provide you with an opportunity to make open comments, if you wish to do so. Upon completion of the comments, we will then have 10 minutes for each party to ask any questions they may have about your candidacy, shall we say? We will start this round with the government caucus. The floor is yours.

0910

**Ms. Victoria Chiappetta:** Thank you to all of you for being here and giving me the opportunity.

I was asked to prepare a short opening statement to express my experience and qualifications to serve as a public appointee to the board of directors for the OLG. I know you've read my application, so I don't want to bore you with the details that are in there. I'd like to give you a little bit more colour, hopefully, from what you see in the words on the pages.

I was born and raised in Sault Ste. Marie, Ontario, and I stayed there until I left for further education in 1988, first at McGill, then graduating from law school here in Toronto in 1993, then being called to the bar in 1995 and practising in downtown Toronto for a number of years before the pull of northern Ontario took me back to the Soo.

I am presently the vice-president of legal and the general counsel with Essar Steel Algoma, the former Algoma Steel, which, I'm sure, looking at the faces around the room, all of you know well from when we came knocking on your door a couple of times to help us stay in business. Essar Steel Algoma is now owned by Essar Global. Essar Global is a multi-billion dollar Indian-based company that has given me the opportunity to not only live in the town that I am very proud to call home, but to be able to practise in a much more universal and global environment. As a result of that, I feel like I have sound corporate governance training and I'm well versed in the legal mechanics of both business and financial transactions.

I have volunteered as a board member for many worthy causes and organizations in my hometown, and I presently hold an appointment to the board of directors of the Sault Ste. Marie Public Utilities Commission. I also serve as a deputy judge in small claims court in Sault Ste. Marie, which is as you see on TV; as entertaining as that.

*Interjection.*

**Ms. Victoria Chiappetta:** That would be a very good idea. Perhaps we could talk about that off-line.

Paralleling my professional accomplishments, and perhaps more significant, are some personal qualities that I have that were built on a foundation of unconditional love laid by my parents. My parents are still in Sault Ste. Marie with my brother and my grandparents, and certainly that was the pull that took me back to my hometown. Through their lessons and example, I learned patience, understanding, humility and respect. They instilled in me a never-ending work ethic and a simple yet unforgiving line between right and wrong.

My commitment to community and public service is another personal attribute I just want to touch upon briefly. As a young woman growing up in a small northern Ontario city, I quickly learned the importance of a unified populace. Learning from the example of family and neighbours and public figures who were visible in my life, it became apparent to me that the community wasn't going to be successful unless we all worked together. This lesson has never faltered, as I continue to work for the public through volunteering for various fundraising efforts, speaking at public and private events, and through my efforts to serve the more than 3,000 employees at our city's largest employer, Essar Steel Algoma.

My professional competence, passion for the community and personal qualities and character make me a successful candidate, in my point of view. I'm confident in my ability and would be humbled to have the opportunity to serve as a director of the OLG with both integrity and humility.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start with the government. Mr. Brown?

**Mr. Michael A. Brown:** Welcome. As the member for Algoma-Manitoulin, which completely surrounds Sault Ste. Marie, I just wanted to indicate to you that we are very pleased with you putting your name forward for this appointment.

I would like you to expand upon—just because you're from Sault Ste. Marie—the role of the OLG in Sault Ste. Marie and its importance to the community.

**Ms. Victoria Chiappetta:** It's a critical issue and, really, the issue why I'm interested in the appointment. I read in August 2009 about the resignation of all of the board members at one time and the issues that were occurring with the then CEO, and I immediately went online and applied to be a director—as simple as that. The reason for that is because the revenues that are generated from the charity casino in Sault Ste. Marie are instrumental to what we, as a municipality, can do. I believe our 2010 Q1 slot revenue was about \$375,000, but it's been close to \$17 million since 1995 and it's critical to the efforts that we put forward in Sault Ste. Marie.

**The Chair (Mr. Ernie Hardeman):** The official opposition: Ms. MacLeod.

**Ms. Lisa MacLeod:** I appreciate you coming in today.

That's a challenging role you've got, being somebody who is a judge in small claims court. Will you be able to balance both with your travel commitments?

**Ms. Victoria Chiappetta:** Just to be clear, my deputy judgeship is something that I sit only once a month in small claims court. My real profession, my complete profession, is the VP of legal with the steel company in Sault Ste. Marie. Juggling has always been an issue. I'm not sure that I've gotten in right yet but I keep trying. I've just recently been married and in 10 weeks we'll have our first child so the juggling shall continue.

**Ms. Lisa MacLeod:** Congratulations.



**Mr. Gilles Bisson:** Is this the first grandchild?

**Ms. Victoria Chiappetta:** It's the first grandchild and the closet is already full; the nursery is done.

So yes, I do think I'll be able to juggle, but I'm not going to say it's easy.

**Ms. Lisa MacLeod:** It's not something that you're doing two or three times a month. It's just once a month.

**Ms. Victoria Chiappetta:** Correct.

**Ms. Lisa MacLeod:** Just quickly: You worked for the OLG before as director of labour.

**Ms. Victoria Chiappetta:** I did.

**Ms. Lisa MacLeod:** Obviously it was during a time when there was a lot going on there. Going back as a board member, what kind of changes would you like to see made in terms of transparency and accountability for taxpayers?

**Ms. Victoria Chiappetta:** First let me tell you about my experience at the OLG. It was very short-lived. I arrived in September of 2006 and I left late January or February 1, 2007. During that time, as a layperson outside of OLG, I was made aware of the issue with respect to potential insider wins by watching the Fifth Estate like everyone else. I believe the Ombudsman began his investigation in January 2007, but I really was separate and outside of that, given the position that I was in. I really wasn't brought into that, then I left before both the investigation and the report were completed. I have since read it, and to answer your specific question, I think that—at least the way that I govern, I govern with transparency, fairness, accountability, and those to me are benchmarks in terms of governance. I do that with a company that is no longer public but is private. I think that when the company has taxpayers as their primary stakeholder, those three benchmarks become even more significant.

**Ms. Lisa MacLeod:** It has been a year since Mr. McGuinty promised to post expenses online for senior OLG employees. Are you comfortable with that?

**Ms. Victoria Chiappetta:** I am comfortable with posting my expenses online. I think that employee expenses, whether you work for a public company, a private company—and again, if your stakeholders are taxpayers I think there is an accountability to show how their money is being spent.

**Ms. Lisa MacLeod:** I appreciate your answer on that. Just one final question: Right now, the OLG owns a power plant. Do you think that's an appropriate use of resources at the OLG?

**Ms. Victoria Chiappetta:** I have to say I was completely unaware of that, so I'm not able to give you an educated or informed answer.

**Ms. Lisa MacLeod:** All right. Well, listen, thanks very much for coming in and congratulations on the changes you're about to make in the next few weeks and the best of luck.

**Ms. Victoria Chiappetta:** Thank you so much. I appreciate it.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Now the third party: Mr. Bisson.

**Mr. Gilles Bisson:** Let me ask the question right from the start. How did you find out about this?

**Ms. Victoria Chiappetta:** Well, first let me say good morning as a fellow northern Ontarian as well.

**Mr. Gilles Bisson:** Good morning. I was going to talk to you about being a grandfather but that will be later. How did you find out?

**Ms. Victoria Chiappetta:** Honestly, I read it in the paper. As I said, I read the Toronto Star every morning online and I read that the whole board was resigning, and I applied. It was August 2009. I heard nothing, and the existing board was put in place late last year and early this year and I thought, "Well, at least I gave it a shot." Then in June quite out of the blue I received a call from the chair's office inviting me to an interview with Mr. Godfrey.

**Mr. Gilles Bisson:** Okay. In regard to the online gaming that we're about to get into and in regard to poker, etc: What's your particular view on it?

**Ms. Victoria Chiappetta:** As you know, in Sault Ste. Marie there are five casinos within 50 miles, so I have very close family members who gamble very responsibly. My mother is an avid poker player and so is my brother. But I've also seen the effects when someone doesn't know their limits. We see it in our courts locally and we see the devastation on families. When the OLG is talking about expanding the blueprint of that business line, I think it has to be done with a lot of caution, research and education, and ultimately it has to be done keeping in mind that we don't want to expand a problem that we are attempting to control.

**Mr. Gilles Bisson:** I guess that's where I was going with it. Part of the thinking around it in my mind is that it's already happening. There's a whole bunch of people out there in Ontario who are doing online poker, and OLG getting into it, to what degree does that actually expand it? I'm wondering, just from that perspective, is it a good idea for us to expand it? Is it a money thing or is it a social issue, as far as the decision to go ahead?

0920

**Ms. Victoria Chiappetta:** I think it's both. Ultimately, the OLG is a for-profit business and it needs to generate profit in order to generate the revenues in order to do the good things that it's able to do for the province and for cities. But it can't do that at the expense of people. So I think it's both. I think it's both business and social, and those two have to be balanced and equally addressed in the investigation.

**Mr. Gilles Bisson:** So this is the first grandchild in the family?

**Ms. Victoria Chiappetta:** That's correct, yes.

**Mr. Gilles Bisson:** Tell your parents, from one grandfather, that they're going to have a ball.

**Ms. Victoria Chiappetta:** I definitely will. Thank you very much, sir.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We do want to thank you for coming in, and more than that, we wish you well in your



future endeavours, both personally and in what you're applying for here this morning.

**Ms. Victoria Chiappetta:** Thank you, Mr. Chair. I appreciate it.

MS. MONIQUE WILBERG

Review of intended appointment, selected by official opposition party: Monique Wilberg, intended appointee as member, Ontario Lottery and Gaming Corp.

**The Chair (Mr. Ernie Hardeman):** Our next deputant is Monique Wilberg. Thank you for coming in. As with the previous ones, we will offer you an opportunity to make some opening remarks about your reason for applying and your personal attributes. We will then have questioning, 10 minutes from each party, and this round will start with the official opposition. With that, we turn the floor over to you. We're looking forward to hearing from you.

**Ms. Monique Wilberg:** Good morning, ladies and gentlemen of the committee, and good morning, Mr. Chairman. It's an honour to be nominated to the board of the OLG, and I'm also pleased and thank you for the opportunity to appear before you this morning as you consider my appointment to this very important position.

I believe you have a copy of my CV before you, and I think it's valuable for me to elaborate and provide some colour to my experience in the industry, which I think will be of benefit to the OLG.

In 1992, along with four partners, three of whom remain silent, I acquired two gaming licences in the province of British Columbia. The operations employed at that time 150 individuals.

By 1995, both of these operations had been relocated into contemporary, artistic environments. Betting limits and games offered at that time remained stagnant.

In 1996, Gateway acquired a third gaming licence, which, three years later, in 1999, would be relocated from the small community of Haney to the metropolis of Burnaby. All of the 45 employees continued their employment with Gateway.

In 1997, the province introduced slot machines to the gaming operations, expanded the library of table games offered and increased betting limits to a maximum of \$500.

By 1999, the province had a gaming act, and the BC Lottery Corp. was tasked with managing the conduct of all forms of gaming within the province.

BC Lottery Corp., with their new scope of responsibilities, recognized the lack of formal policy and procedures by which the gaming operations or service providers were operating, by which the operators' performance could be measured.

From 1992 to 2002, representing the casino industry of British Columbia, along with the British Columbia Lottery Corp. and the gaming policy and enforcement branch—our regulator, GPEB—I sat on a committee that was tasked with writing all the policies and procedures by which the industry operated.

In 2001 to 2003, Gateway acquired two casino licences in Alberta, four casino licences in the interior of British Columbia and in the Okanagan, and one casino licence in a suburb of Vancouver, bringing its total family to nine casino operations. Prior to the sale of Gateway in 2007, each of these gaming operations underwent extensive renovations, relocations and, in some cases, new builds. A capital investment of roughly \$400 million was spent at that time to achieve those goals.

Some of the initiatives and innovations accomplished during that time that I'm most proud of are those around public safety and responsible gaming. Prior to 1999, BC did not have a formal, regulated, responsible gaming program. From 1991 to 2001, until such time that BCLC and GPEB introduced a regulated program under my direction, Gateway employed counselling resources for individuals who were identified by site management with gambling habits that they wanted help with.

In 1999, working with a local biometric software developer then doing software database management development work with the RCMP, under my direction we developed a biometric facial image recognition software and database tool to be used by surveillance to track individuals who were a potential threat to the well-being and safety of others. This was also a solution that was used to track individuals who had wanted to participate in the self-exclusion program that was later offered and introduced by the gaming policy and enforcement branch.

From 2006 until 2008, I served as a member of the BC Partnership for Responsible Gambling, representing the BC gaming industry. This was a new committee. Its initiative was to bring all stakeholders together in the province to engage the BC Lottery Corp., industry and the regulatory body, GPEB.

Over the period of the 15 years that I was a shareholder of Gateway, we grew the staff complement from 150 to 3,000. By 2007, we were generating an annual revenue for the province of \$500 million.

I have investments in three gaming operations in Chile. I act as an adviser to the management team in the ongoing operations. I was engaged in the development of the facility in its pre-stage and construction stage. I have recently been approved by the Illinois Gaming Board as an investor in a greenfield opportunity in a suburb of Chicago, in Des Plaines. I'm acting in an advisory capacity in this project, which is currently under construction and scheduled to open in the fall of 2011.

In March of 2010, I was selected and contracted by the Auditor General of Ontario to assist the AG's office in an audit process of the AGCO.

I have a reputation for being fair, firm and reasonable. I have earned the respect of the regulatory bodies to whom I have been accountable as being serious and responsive.

I hope that this detail of my experience underscores the magnitude of my experience and provides confidence that my experience will be of value to the OLG and, ultimately, the citizens of Ontario.



**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start the questioning with the official opposition. Mr. Wilson?

**Mr. Jim Wilson:** Thank you very much for coming in, Ms. Wilberg. Certainly, you're well qualified. I'm a little unclear on what you're doing right now, though. You have the investments in Chile. You're starting something in the States. Are you still president or CEO of—

**Ms. Monique Wilberg:** No, I'm not. Gateway was sold in 2007. I was given an opportunity to reinvest and to stay on in that role, but it was a chapter in my life that had come to an end. I've got a 14-year-old son, and you can imagine—

**Mr. Gilles Bisson:** Is he taking your credit card and—

**Ms. Monique Wilberg:** Not quite yet. I can see it coming.

Leaving the organization at that time—this was a 24/7 undertaking. I dedicated my life to it, and now it's time to dedicate my life to other things. I'm doing many things outside of the industry, but I thought it was salient today to sort of put colour on my experiences.

**Mr. Jim Wilson:** So why do you want to be on the OLG? You've obviously been successful. For \$350 a meeting, why do you want to be on the OLG?

**Ms. Monique Wilberg:** I think it's an incredible opportunity for me to be able to provide a service for individuals, to the board and to the OLG, and to continue to use experience that I have to hopefully assist the OLG in continuing to hold the torch high as the leader of the gaming industry in Canada. Frankly, OLG in Ontario has always been seen by all of Canada as being the frontrunner, and it's an honour to be a part of that. It's an honour to be part of the experience of leadership under Mr. Godfrey's tutelage.

**Mr. Jim Wilson:** You'll have to fly in for meetings?

**Ms. Monique Wilberg:** Am I—what, sorry?

**Mr. Jim Wilson:** Will you be flying in for meetings?

**Ms. Monique Wilberg:** Yes, I will.

**Mr. Jim Wilson:** So you don't have a residence in the province of Ontario at all.

**Ms. Monique Wilberg:** Not yet, no.

**Mr. Jim Wilson:** You'll probably own half of a casino or something.

**Ms. Monique Wilberg:** Unlikely.

**Mr. Jim Wilson:** Not likely. Again, it was just your own initiative to apply?

**Ms. Monique Wilberg:** Yes.

**Mr. Jim Wilson:** Well, good luck to you.

**The Chair (Mr. Ernie Hardeman):** Thank you. Mr. Bisson?

**Mr. Gilles Bisson:** Most of the questions I'd like to ask you about the gaming industry are probably not the purview of this committee, in regard to what the best games to play are, but that's a whole other story—and what are the strategies.

I just want to pick up on something Mr. Wilson did. So your home base now is British Columbia?

**Ms. Monique Wilberg:** Yes.

**Mr. Gilles Bisson:** Wow. That's an expensive commute in for meetings.

**Ms. Monique Wilberg:** No; with WestJet, it's \$239 return. It was actually not as bad as I thought it was going to be.

0930

**Mr. Gilles Bisson:** So they meet, what, once a month?

**Ms. Monique Wilberg:** Once a month, yeah.

**Mr. Gilles Bisson:** And then whatever subcommittees after that you sit on?

**Ms. Monique Wilberg:** That's right.

**Mr. Gilles Bisson:** Interesting. So you're involved in Chile right now. How much of your time do you spend down there?

**Ms. Monique Wilberg:** Initially in the first two years of the operation, I was going once a month. I haven't been for a year, and I'm going in October for five days.

**Mr. Gilles Bisson:** So you've got the time to do it then, is the long and short of the story.

**Ms. Monique Wilberg:** Yes, I've done what I can there.

**Mr. Gilles Bisson:** You obviously bring a wealth of experience when it comes to the inside of the industry as far as running casinos and stuff. Looking at OLG now, because they're, in some ways, similar to what the British Columbia lottery—whatever they call themselves—does, are there any lessons that you think you can bring to the OLG that are not being done now, like a change of practice or anything? Is there anything that flashes in your mind where you say, "One of the reasons I want to sit here is because what they do is this and it should be changed"? What is that, if there is such a thing? It's kind of a funny question.

**Ms. Monique Wilberg:** I think my experience in British Columbia is to operate under the most transparent practices as possible. You're really hand in hand with regulatory bodies there. You're acting as an agent of the crown, for the most part—so, from a risk management perspective, given what the OLG has been through, ensuring that there is absolute transparency and that the organization operates as a very responsible undertaker for the province.

**Mr. Gilles Bisson:** But do you see any changes that you think need to be done, as somebody who has worked in the industry and understands it well, that maybe there's something in Ontario we should be doing differently?

**Ms. Monique Wilberg:** Until I can actually get my feet on the ground and get a sense—I looked at the revenues for resort gaming. Obviously that's an issue. The revenues have come off over the past few years. There are some good reasons for that—the smoking issue—and there's obviously a saturation issue with the casinos opening up in the US. It would be interesting to understand that problem a little bit more.

**Mr. Gilles Bisson:** What's the highest revenue-maker for casinos when they have cards and slots? I take it it would be slots, right, is where they make the most money?



**Ms. Monique Wilberg:** Yes, that's right.

**Mr. Gilles Bisson:** All the questions I have, I want to ask you after.

**Ms. Monique Wilberg:** Yeah, sure.

**Mr. Gilles Bisson:** I just have some specific questions, not about how to play but how the revenue is generated within the casinos themselves. What percentage would be tables? Are we allowed to ask that? I don't see why not.

**Ms. Monique Wilberg:** Sure.

**Mr. Gilles Bisson:** Tables versus slots is what percentage?

**The Chair (Mr. Ernie Hardeman):** I would just point out that you can ask any question you like, but the applicant is not obliged to answer any she doesn't want to answer.

**Ms. Monique Wilberg:** Sure. I can't give you Ontario's experience right now, but typically it would be in the order of: About 60% of your revenue would come from slots and 40% of your revenue would come from tables. It all depends on the marketplace, your demographics and your business model.

**Mr. Gilles Bisson:** Where do the more problem gamblers go? Is it cards or is it slots? I'm just curious.

**Ms. Monique Wilberg:** It's hard for me to answer in the Ontario example. In British Columbia, I would say it's an even-keeled split of problem gaming. It's a different demographic, but there are similar percentages of problem gaming on tables. British Columbia is a bit unique because it has a very robust table game market.

**Mr. Gilles Bisson:** Why is that? Just because of the culture?

**Ms. Monique Wilberg:** Yeah. It's probably a slightly underpenetrated market. There are a few municipalities—Richmond—and of course the Asian demographic in British Columbia aggressively pursues gaming.

**Mr. Gilles Bisson:** So this whole sort of—what do you call it again? Poker—my God, what do you call it? Texas hold'em.

**Ms. Monique Wilberg:** Yeah.

**Mr. Gilles Bisson:** This whole Texas hold'em phenomenon: Has that brought more people to the tables as far as the television—

**Ms. Monique Wilberg:** I think so. I think it has improved the overall public perception of gaming. It has shown that it's something that's widely accepted. It has given gaming better awareness that it's front and centre and it's not just in Las Vegas that you can go and game.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. I just wanted to point out, Mr. Bisson, that your previous question about where is the best place to invest your money and then asking this applicant which is the best machine to play—I don't think they're the same answer.

We'll now go to the government—

**Mr. Gilles Bisson:** I don't play slots. I just don't like them.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown.

**Mr. Michael A. Brown:** We're delighted to have you here today.

Maybe you could expand a little bit about this, but the board needs a set of outside eyes, and you bring both the perspective of being outside of the province and knowing about the broader world of gaming to the province, along with some intricate knowledge of how they actually work. Maybe you could expand a little bit about that, because I'm not familiar and I'm sure most members of this committee aren't familiar with the global gaming situation.

**Ms. Monique Wilberg:** Sure. It's interesting, just recently having gone through the regulatory approval processes for Chicago, it's very much becoming a global market, and the regulatory body of Chicago that I introduced to the regulatory body of Ontario, because they were trying to learn from each other—so what we're seeing on the planet is, best practices are starting to filter and sift to the top, because you have this global intellect—essentially, experience—that's now engaged in talking to each other.

So from the perspective of differences between Chile and Chicago and British Columbia and Ontario, there is simply very little outside of this. I would say that what we're seeing is a serious undertaking, in most jurisdictions, to embrace and to ensure that responsible gaming is a genuine interest, and ensuring that practices inside operations are critical and that they're real.

Gaming operations now are usually full-service experiences, and so what you're seeing is that both of those products are being offered in a community, much like in Ontario, where you've got operations that are for local destinations and then you've got operations that are destinations where there is a hotel or conference/convention centre and those sorts of things.

What we're seeing in Ontario is essentially best of class with respect to markets that are opening and that are delivering product to a local and to a destination demographic.

Hopefully, that has answered your question a bit.

**Mr. Michael A. Brown:** Thank you. There are so many questions we could possibly ask, but I really do believe that we need you on this board. I'm going to say right out front that knowing that you're from British Columbia put up flags in my head, like, why don't we have someone here in Ontario who would fill those shoes? Now I kind of understand.

I guess the only one question that I really do have—you have already explained it, I think, but do you have any conflict of interest with the OLG in any way, or perceived conflict of interest?

**Ms. Monique Wilberg:** No.

**Mr. Michael A. Brown:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your question, and thank you very much for your presentation. We thank you for coming in, and we wish you well in your future endeavours and in your commuting life. I thought it was a long commute from Oxford to Queen's Park, but to commute from British



Columbia to come to Toronto seems like rather a formidable challenge.

**Ms. Monique Wilberg:** Thank you, Mr. Chairman, and thank you, ladies and gentlemen of the committee.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning, so we now proceed with the concurrences.

We will first consider the intended appointment of Jason Melbourne as a member of the Ontario Lottery and Gaming Corp. Do we have a motion to deal with the concurrence?

**Mr. Michael A. Brown:** Yes. I move concurrence in the appointment of Jason Melbourne to the Ontario Lottery and Gaming Corp. board. A recorded vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** I'd just like to say at the outset that while many of these candidates were interesting, very attractive and I think have come to the board with good intentions, the official opposition has a great concern. The OLG is one of 22 agencies for which Dalton McGuinty promised to have expenses posted online, and it has been more than a year since he made that promise. OLG has not published their expenses to date. We feel in the official opposition that that is an abuse of taxpayer dollars, and so, until the OLG complies with posting executives' expenses online as required, we will not be voting for any of the appointments. I'd just like to put that on the record.

0940

**The Chair (Mr. Ernie Hardeman):** Further discussion? If not, all those in favour of the concurrence?

**Ayes**

Brown, Cansfield, Carroll, Lalonde.

**Nays**

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Next, we'll consider the intended appointment of Charlotte Burke as a member of the Ontario Lottery and Gaming Corp. Do we have a motion to move concurrence?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Charlotte Burke to the Ontario lottery corporation board.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** The same reasons, as stated earlier: Until the OLG complies with the posting of executive expenses as required, the official opposition won't be supporting any of the candidates, however interesting or attractive their qualifications may be. I'd also move that it be the same vote.

**The Chair (Mr. Ernie Hardeman):** Any further discussion?

**Mr. Michael A. Brown:** Recorded vote.

**Ayes**

Brown, Cansfield, Carroll, Dickson, Lalonde.

**Nays**

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

We will now consider the intended appointment of Victoria Chiappetta. Do we have a motion to deal with the concurrence?

**Mr. Michael A. Brown:** I move the appointment of Victoria Chiappetta of Sault Ste. Marie to the board of the Ontario lottery corporation.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** As previously mentioned, the official opposition will be voting against OLG appointments until the OLG complies with posting executive expenses as required. This is a message that I'm hoping the government MPPs will take back.

**The Chair (Mr. Ernie Hardeman):** Further discussion?

**Mr. Michael A. Brown:** Recorded vote.

**Ayes**

Brown, Cansfield, Carroll, Dickson, Lalonde.

**Nays**

MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Next, we'll consider the intended appointment of Monique Wilberg as member of the Ontario Lottery and Gaming Corp. Do we have a motion on the concurrence?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Monique Wilberg to the board of the Ontario lottery corporation.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Mr. Michael A. Brown:** Recorded vote.

**Mr. Joe Dickson:** Mr. Chair, can I have a point of clarification? If the exact same words are being used for every candidate who is in front of us for selection, can we not just say "ditto"?

**The Chair (Mr. Ernie Hardeman):** When the Chair asks for discussion, it's not the Chair's prerogative to decide what the discussion should be.

Any further discussion on the motion?

**Ms. Lisa MacLeod:** I understand that the Liberals must be uncomfortable with this, but the reality is, over a year ago their Premier promised Ontarians that expenses to the troubled OLG would be posted online. It has been more than a year since that promise was made to Ontario taxpayers, and the Ontario Lottery and Gaming Corp. still has not published their expenses to date. In the official opposition, we feel that that is an abuse of taxpayer dollars.

Therefore, as I have previously indicated, at this point in time the official opposition cannot support candidates going to the OLG, regardless of the qualifications, until they fundamentally change their ways and prove to Ontario taxpayers that they are serious about our tax dollars. Until OLG complies with posting executive expenses as required, the official opposition cannot support their candidates. I understand that that must be something very difficult for this Liberal government to understand, but the problem is that they have made a commitment to Ontario taxpayers that the Ontario Lottery and Gaming Corp., as one of 22 agencies that Dalton McGuinty promised would have their expenses posted online—has not yet made that commitment.

I also remind folks, the expenses issue is not the only issue the OLG has had problems with in the past. We've dealt with some insider wins. We have seen that they own a power plant in Windsor. Today it is in the Toronto Star that a good majority of Ontario citizens are opposed to online gambling, yet Dalton McGuinty and his Liberal caucus are intent in bringing Ontario into that fray.

At this point in time, the official opposition is very concerned with these appointments and the appointments process, given that this government made a commitment

that it hasn't met with making the OLG more transparent and accountable to Ontario taxpayers.

**The Chair (Mr. Ernie Hardeman):** No further discussion? If not, all those in favour of the concurrence?

#### Ayes

Brown, Cansfield, Carroll, Dickson, Lalonde.

#### Nays

MacLeod.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The motion is carried.

That concludes the concurrences. We thank all participants this morning.

We have one more item before we adjourn. The deadline for the review of appointments of individuals selected from the September 3 certificate is October 3. Obviously, in order to set the appointments, we will need unanimous consent from the committee to extend the deadline for that to be done. Do we have unanimous consent from the committee to extend the deadline?

**Mr. Michael A. Brown:** I so move.

**The Chair (Mr. Ernie Hardeman):** Hearing no objection, the deadline has been extended. We've tried to do that, but it saves the clerk the trouble of trying to catch each committee member to get unanimous consent if we give one unanimous consent at our previous meeting.

We'll adjourn, then, till 9 a.m. on Tuesday, October 5. The committee stands adjourned.

*The committee adjourned at 0945.*



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### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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#### **Vice-Chair / Vice-Présidente**

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Mrs. Laura Albanese (York South–Weston / York-Sud–Weston L)

Mr. Michael A. Brown (Algoma–Manitoulin L)

Mrs. Donna H. Cansfield (Etobicoke Centre / Etobicoke-Centre L)

Ms. M. Aileen Carroll (Barrie L)

Mr. Howard Hampton (Kenora–Rainy River ND)

Mr. Ernie Hardeman (Oxford PC)

Ms. Lisa MacLeod (Nepean–Carleton PC)

Ms. Leeanna Pendergast (Kitchener–Conestoga L)

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Mr. Jean-Marc Lalonde (Glengarry–Prescott–Russell L)

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## Legislative Assembly of Ontario

Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 5 October 2010

# Journal des débats (Hansard)

Mardi 5 octobre 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

Nominations prévues



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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 5 October 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 5 octobre 2010

*The committee met at 0903 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** I call the meeting of the Standing Committee on Government Agencies to order for Tuesday, October 5. We have no subcommittee reports today, so we will go directly into the intended appointee reviews.

## INTENDED APPOINTMENTS

## MR. MANJIT BASI

Review of intended appointment, selected by official opposition party: Manjit Basi, intended appointee as member, Waterloo Wellington Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our first interview today is with Manjit Basi, intended appointee as a member of the Waterloo Wellington Local Health Integration Network. Welcome to our committee this morning. Thank you very much for coming in and thank you for applying to be appointed and help the government out on the local integrated health network. We will—

**Ms. Manjit Basi:** I'm sitting in the wrong chair.

**The Chair (Mr. Ernie Hardeman):** That's fine. It doesn't make any difference which chair. We will turn the light on at whichever chair you sit.

**Ms. Manjit Basi:** They're all electric chairs, are they?

**The Chair (Mr. Ernie Hardeman):** Very good.

As normal practice, we will allow you to make an opening statement, if you wish. Upon that, we will start with each party having 10 minutes to question you on your presentation or on any other issue they may wish to ask about. This time we will start the questioning with the third party. Of course, that changes if the third party is not ready to do that.

Thank you again for coming in, and the floor is yours.

**Ms. Manjit Basi:** Members of the committee, thank you for giving me this opportunity to speak to you today about my potential appointment to the Waterloo Wellington LHIN.

I have been a community council member of the Waterloo Wellington LHIN board for the past three years. As a community council member, our mandate is to be the eyes and the ears of the Waterloo-Wellington community and to bring forward comments, concerns

and issues that may arise from the general public regarding health services.

The community council is considered by the LHIN to be an important asset and integral to their community engagement framework. In April 2009, I was interviewed by the nominating committee of the Waterloo Wellington LHIN board for an upcoming board vacancy. The outcome of that rigorous interview process brings me here today. I would like to personalize my resumé and expand on those skills that make me a valued addition to the Waterloo Wellington LHIN board.

My professional background is in business administration. I began my career as an office manager for the British Waterways Board and Pointbid PLC in England. Both are large multinational warehousing and distribution companies.

Since moving to the Waterloo region, I have been working as the office administrator with Gomahar Consulting Inc., an energy consulting company, and am presently employed with PEACE Environmental, an environmental consulting firm. The scope of my experience with these companies involves finance, operations, human resources and sourcing new opportunities in the present economic climate.

I also have experience as a human resources officer in the Cambridge riding for the past three elections with Elections Canada and Elections Ontario. This is a non-partisan and impartial position which involves working in a time-intensive environment to ensure hiring and training of approximately 685 officials so that election day proceeds smoothly.

As a resident of Cambridge, I have been involved with numerous volunteer associations, including school council, sports travel teams and Heritage Cambridge, and recently with issues related to bringing awareness to the environmentally sensitive farmlands. As a member of the Sikh community in Cambridge, I also, when called upon, will take seniors to doctors' appointments and hospital appointments. Also, as a Canadian citizen, I recognize my obligation to be actively involved in the democratic process. My involvement with the Liberal associations has given me the opportunity to engage various ethnic communities in the political process in Cambridge.

Through my church and because of my ability to speak three languages, I have been involved with many multicultural groups. This affords me the opportunity to interact and use my skills to help the community navigate



existing health services. This is most especially important for our elderly community. As a result, I have first-hand knowledge of the needs and gaps which exist within Waterloo-Wellington for people of different ethnic backgrounds.

The Waterloo Wellington LHIN plans, integrates and allocates funds for 79 health service partners, and serves approximately 750,000 people. A growing number of these residents come from different ethnic communities. I believe in fairness and inclusivity for all.

Through my network of communities, I am well known, trusted and approachable. I listen well and I'm not afraid to ask focused, probing questions. I see life as a process of continuous growth and learning. I believe in being involved and giving back to one's community. I am hard-working, have a strong work ethic and a great deal of energy. I'm disciplined, well organized and focused. I enjoy new challenges and new opportunities.

0910

I believe I will be a positive asset to the Waterloo-Wellington board and will be able to bring forward a voice of diversity for the citizens of Waterloo-Wellington.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. As I said, we may have to change who we're going to start with. We'll go to the government benches first. Mr. Brown.

**Mr. Michael A. Brown:** Thank you for coming, and thank you for putting your name forward. The government believes that you will be an excellent member of the LHIN. We believe that we need community involvement in deciding health policy and that it's better made out in the communities than it is here at Queen's Park. Thank you for doing this important work.

**The Chair (Mr. Ernie Hardeman):** From the opposition, Mr. Wilson.

**Mr. Jim Wilson:** Thank you for coming in this morning.

A political question: Are you still active with the local Liberal riding association?

**Ms. Manjit Basi:** I resigned from the provincials simply because I had so much work on my hands at the moment.

**Mr. Jim Wilson:** You've donated to the Liberal Party in the past?

**Ms. Manjit Basi:** Probably in hours and not in too much money.

**Mr. Jim Wilson:** The records indicate that you've actually given quite a bit of money to the party. Are those just conventions you went to or something like that?

**Ms. Manjit Basi:** I'd like to clarify something: There are two Manjit Basis. There's another Manjit Basi from Ottawa who donates quite heavily.

**Mr. Michael A. Brown:** We love that guy.

**Mr. Jim Wilson:** Yes. He's not here.

**Ms. Manjit Basi:** We donate, but I don't think I donate heavily.

**Mr. Jim Wilson:** But you are in the Cambridge riding?

**Ms. Manjit Basi:** I am in the Cambridge riding.

**Mr. Jim Wilson:** I just wondered. The reason I said it was a political question is because this is a non-partisan position. You've given money in 2004, twice in 2005, 2006, 2007—how do you end up in a non-partisan position at Elections Ontario and Elections Canada? If that was my riding, they'd freak right out.

**Ms. Manjit Basi:** I think I've proven myself, that you can leave your politics at the door and work in a non-partisan way.

**Mr. Jim Wilson:** Just for the record, it's unusual.

You were three years on the advisory board?

**Ms. Manjit Basi:** Three years as a volunteer on the community council.

**Mr. Jim Wilson:** Did anyone on that advisory board speak out? This is our greatest-sinning LHIN—the Waterloo-Wellington LHIN—when it comes to per diems and the number of days. The board chair has charged some \$81,900 per diem compensation in one year for a part-time job. Did anybody on the community board speak out?

**Ms. Manjit Basi:** I never heard of anybody saying anything to that effect.

**Mr. Jim Wilson:** Okay. That's all the questions I have.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for making your presentation. We will make a decision on the concurrence to your appointment at the end of our interviews this morning. Again, thank you very much for coming in. We wish you well in your future endeavours.

**Ms. Manjit Basi:** Thank you for giving me this opportunity. I'm very passionate about what I do with the LHINs.

#### MR. MIKE LOWTHER

Review of intended appointment, selected by official opposition party: Mike Lowther, intended appointee as member, Erie St. Clair Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our second appointee we are interviewing this morning is Mike Lowther.

As with the previous delegation, we will provide you with an opportunity to make an opening statement, if you so wish. We will then have 10 minutes for each party to ask any questions they may have about your presentation or anything else, if they desire to do so.

Thank you for coming in. We will start the round of questioning this time with the government side. With that, the floor is yours. We look forward to hearing from you.

**Mr. Mike Lowther:** Thank you to the members of the committee for the opportunity to present this morning.

As you can see from my application, I am a certified management accountant and I have a bachelor of mathematics degree from the University of Waterloo. I am the controller and CFO of a multi-million dollar petroleum distribution company.



During my career, I've worked for family-run businesses, a public accounting firm and international corporations. I've had the responsibility for financial departments, human resource functions and been the general manager of manufacturing facilities. I've been a member of many executive teams. These operations have been in both union and non-union environments.

I've lived in Georgia for a three-year period. During time I experienced their health care system and did not like what I found.

I believe in the importance of volunteer service and giving back to one's community. Having served on various boards in the Chatham-Kent area, I've developed an understanding of how decisions by committee works. I volunteered for girls' minor softball, junior achievement, Kiwanis, parks and recreation advisory boards, Chatham-Kent Crime Stoppers and our local high school parent council.

My wife and I were born and raised in Chatham and currently reside there with our youngest daughter. We have one daughter currently working on her master's at the University of Western Ontario and our oldest daughter lives in Atlanta, Georgia, with her husband. My parents and our extended family also live in Chatham.

Based on my education, business experience, community involvement and deep ties to the community and desire to have a continuously improving health care system, I believe I can be a strong asset to the community as a member of the Erie St. Clair LHIN. Thank you for your time.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will go to the government benches. Mr. Brown.

**Mr. Michael A. Brown:** Thank you for putting your name forward for this important position. I'm not going to have much to say. You're obviously very well-qualified for this position, and the government will be supporting your appointment.

**The Chair (Mr. Ernie Hardeman):** To the official opposition. Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Mr. Lowther, for coming in this morning. You haven't quite donated as much as the previous witness to the Liberal Party, but you're on the list. Will that in any way effect your performance at the LHIN?

**Mr. Mike Lowther:** I'm not sure how I'm on a list for donating to the Liberal Party. I have never donated to politics.

**Mr. Jim Wilson:** Oh, okay. You're not Lowther Consultants Ltd. then, eh?

**Mr. Mike Lowther:** No.

**Mr. Jim Wilson:** Oh, okay. It's good to correct the record.

Would you like to donate to the PC Party?

*Interjections.*

**Mr. Jim Wilson:** You are well-qualified in terms of community involvement and that, but have you done anything in the health care volunteer side or are you familiar with health care at all?

**Mr. Mike Lowther:** Other than using the health care system and knowing what my parents ran into with doctors not being available in Chatham, and my kids using it, that's the only involvement. Fortunately, it hasn't been an extensive involvement. I think mainly my desire is that there's not a lot known about the Erie St. Clair LHIN in the community and that's one of the issues out there.

**Mr. Jim Wilson:** Well, that's what I'm going to ask you. What are some of the challenges that you think have to be tackled?

**Mr. Mike Lowther:** I think getting the community on side. It's a very spread-out community from Sarnia down to Windsor through Chatham-Kent. There's a lack of trust, and I think that we need to get people involved who maybe haven't had anything to do with the health care system and bring another look at it, and get the community to understand what's going on. Whether they agree with LHINs or not, that's not the issue at this point—they're there. We need to work with them and make sure they're working properly and openly.

**Mr. Jim Wilson:** And what made you seek this appointment?

**Mr. Mike Lowther:** Talking with a few people and what I could see in the area. Like I said, there's just not a lot of knowledge in the area of the LHIN and there's a lot of distrust. I wanted to put my name forward, being involved with other areas, to see what I could do to help.

**Mr. Jim Wilson:** Okay. Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for coming in this morning and making the presentation. We do apologize again for soliciting funds during a meeting—

**Mr. Michael A. Brown:** Is it for a particular riding association, Jim?

**Mr. Jim Wilson:** We're getting desperate.

**The Chair (Mr. Ernie Hardeman):** The Chair doesn't have the ability to tell the members what they can ask, so we apologize, as far as the Chair is concerned.

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** We will deal with the concurrence issue upon the completion of our interviews this morning. We thank you very much and we wish you well in your future endeavours.

**Mr. Mike Lowther:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Now, I'm at your wishes. Our next delegation just called. He's stuck in traffic and he will not be here before 10 o'clock.

**Mrs. Donna H. Cansfield:** Why don't we recess?

**The Chair (Mr. Ernie Hardeman):** Okay. With that, we'll recess till 10 o'clock and hopefully we'll be here at 10.

*The committee recessed from 0918 to 1007.*

**The Chair (Mr. Ernie Hardeman):** We'll call the meeting to order and we can, while we're waiting for the delegation to come forward, do the concurrences on the two that we did this morning, if I can just find them here.

We'll proceed with the concurrences. We'll first consider the intended appointee Manjit Basi as a member



of the Waterloo Wellington Local Health Integration Network. Do we have a motion?

**Mr. Michael A. Brown:** Chair, I move concurrence in the appointment of Manjit Basi to the Waterloo Wellington Local Health Integration Network. Recorded vote.

**The Chair (Mr. Ernie Hardeman):** We've heard the motion. Discussion? If not, all those in favour?

**Ayes**

Brown, Cansfield, Carroll, Crozier, Pendergast.

**Nays**

Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion's carried.

Our second concurrence is the appointment of Mike Lowther as a member of the Erie St. Clair Local Health Integration Network. Do we have a motion for concurrence?

**Mr. Michael A. Brown:** Mr. Chair, I move concurrence in the appointment of Mike Lowther to the Erie St. Clair Local Health Integration Network. Recorded vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? There being none, all those in favour?

**Ayes**

Brown, Cansfield, Carroll, Crozier, Pendergast.

**Nays**

Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

That concludes the concurrences thus far, though we will have to just—what do they say?—sit tight for a few moments.

*The committee recessed from 1009 to 1010.*

#### MR. KENNETH TOPPING

Review of intended appointment, selected by official opposition party: Kenneth Topping, intended appointee as member, Central West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** It would appear that Kenneth Topping has arrived. If we could ask him to come forward. Rather than have to sit down and get up, you can sit down right at the end of the table. We thank you very much for coming in and we apologize for not being able to clear the parade route for your arrival quite as well as we had hoped. But we do thank you for coming in this morning.

As we do with all the delegations, we'll provide you with an opportunity to make an opening statement, if you wish. Upon the conclusion of that statement, we will have some time for questions from each of the three parties. This time, I think we will start with the official opposition.

The floor is yours, Kenneth, for your presentation.

**Mr. Kenneth Topping:** Thank you very much. As I was driving in this morning, I thought I should be applying for some kind of committee on transportation. I've been on the road for just over three hours to get from Shelburne, Ontario, which is usually an hour-and-a-half kind of event.

Because of the short time or my being late, whichever way you look at it, I'll dispense with making a major comment to you. I would just like to say that I'm quite interested in this appointment. Specifically, I'm interested in this appointment because of my experience in the past few years. In the past few years, I've had the wonderful opportunity of sharing the care of a senior, who has now passed, and through the care of that senior—my father-in-law—I saw a number of wonderful things about the health system in Ontario. It certainly was a challenge with his many difficulties, but I was very glad, as we went through that, that we do live in the province of Ontario, and for what it provided. I had a number of experiences with hospitals, both in our LHIN and all across southern Ontario, because of this man.

I am a bit of a cheerleader for the health system. For the past 25 years, I have been dealing with serious health issues myself. I sit here this morning pretty happy, pretty healthy and pretty fit because of the good work of our health system. Just in the past year or so I didn't know much about the LHIN, but we had a hospital closure in Shelburne, and I saw some wonderful things happen out of that closure.

Last winter the LHIN formed the Shelburne health task force, and I applied to be on it. I brought to that committee the same thing I think I bring here this morning: a huge experience as a community participant with service clubs, sports, and as an educator in all my career. In that kind of area, I bring a huge community experience to the committee.

I sat on that task force with that in mind, representing the community and, I guess more particularly, representing service clubs. As you know, even in small communities service clubs contribute a huge amount to hospitals and other health organizations.

I was really impressed by what happened with that committee, the way they sought the opinions of the public, the information they brought to the public, the way the meetings were conducted, the way they were publicized and reported in the newspaper. I thought it was a very good process, and I think the result is something that was true to the process and will be very worthwhile as it evolves for the health care of the people in northern Dufferin or in Dufferin county, really, which is basically the northern half of the LHIN that I'm interested in.



On the people point of view, the people I met from the LHIN through that committee process seemed very interested in the people of our area. They were open to our suggestions. They treated us well. They listened to us, and they brought back wonderful suggestions. As I watched the chair of the committee, who was Terry Miller at that time, and Joe McReynolds, who's chair of the LHIN, and Mimi, who is our CEO, I thought that's a group of people who I think share the same view of the world that I do and I'd like to work with them. So, when an ad came in the paper early last winter, I applied. Thank you.

**The Chair (Mr. Ernie Hardeman):** Very good. Thank you very much for that presentation. We'll now start with the official opposition, Mr. Wilson.

**Mr. Jim Wilson:** Thank you, Mr. Topping, very much for coming in. I'm in opposition, so I agree with you about the traffic in this province. It's horrible and something needs to be done about it.

**Mrs. M. Aileen Carroll:** Among other things we discussed.

**Mr. Jim Wilson:** I've got the riding next door, as you know, Simcoe-Grey. You mentioned the facility in Shelburne. What do you see as the future of that facility?

**Mr. Kenneth Topping:** The future of the building I'm not sure about. That still seems to be up in the air.

The future related to health is that the Shelburne health task force has created a Shelburne health and care centre, and that centre is kicking into progress very quickly. They're in the process now of hiring a coordinator, and I believe a steering committee has been appointed from the health providers in the area. The ad for the coordinator was in the paper last week, so it's moving ahead. It will be situated to begin at Dufferin Oaks as a starting point. It has a \$500,000 start-up budget, so it's going.

The building, to me, has opportunity written all over it. It's a decent building. It was closed by the hospital not because it was a decrepit building. Studies on the building show that we can put it into usable shape in the shell that it's in for just over a million dollars, so it's a good opportunity to use the building. I'm not sure what it'll be used for. I hope that it becomes part of this health and care centre.

**Mr. Jim Wilson:** Yes, I think you're right. I think the committee did do a good job and the community has bought into the vision, and I wish it well. I'm glad you mentioned it.

You've told us your motivation. How many years were you with the school board?

**Mr. Kenneth Topping:** I spent most of my career in the Upper Grand and Dufferin school board. I retired in 1999 as a principal from a school in Orangeville. So I worked my whole career in education. The last 25 years—since 1974 I was in the Shelburne and Upper Grand area.

**Mr. Jim Wilson:** What will your priorities be when and if you join the LHIN board? We get outvoted every time, so when you join the LHIN board.

**Mr. Kenneth Topping:** Why did I join the LHIN? I joined the LHIN because of the background experience which I mentioned in meeting the folks from the LHIN. My priorities on working on it? I think I have two. One is to bring information and credibility about the north half of the LHIN to the table, and the other thing I have to do is learn about the south half of the LHIN.

I don't know much about that area south of Orangeville in terms of the population. I have an awareness of the health system through working with Dufferin County Community Support Services. I drive disabled and senior folks to appointments all over Ontario, starting in Dufferin, most of them within our LHIN. So I've got a pretty good idea of the health system in the south, but I don't know a lot about the population and the needs in the south.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. On to the third party, Mr. Hampton.

**Mr. Howard Hampton:** So it's Dufferin County Community Support Services—

**Mr. Kenneth Topping:** Yes.

**Mr. Howard Hampton:** And that's what leads you into doing a lot of work with seniors?

**Mr. Kenneth Topping:** Yes. It started working with my own father-in-law, and seeing the needs that he had, I applied to work on a casual basis with Dufferin county support to help other seniors—which I should say right off the bat, if I'm successful today, will be a severe conflict of interest, so I'll be resigning from that position and hopefully will be helping seniors from the table rather than from the car.

**Mr. Howard Hampton:** When you say that part of your responsibility now is to take seniors to medical appointments and so on, where would you take them, in general? What locations would you usually be taking seniors to?

**Mr. Kenneth Topping:** Well, for example, tomorrow I'll be picking up a lady in Shelburne and taking her to a pain clinic in Mississauga. I think that's the only drive I have tomorrow. On Friday, I pick up a group of Alzheimer's patients in the surrounding area—Shelburne, Orangeville, Grand Valley—and I bring them to a day program in Orangeville, and then in the afternoon I pick them up again and take them home.

We do a lot of work with the Brampton hospital, but the way our organization works, I have driven people to virtually every hospital in the Toronto area as well to see specialists and that kind of thing. As long as they originate in Dufferin county, we take them where they need to go.

**Mr. Howard Hampton:** So, most often, Brampton, Mississauga, Toronto?

**Mr. Kenneth Topping:** Probably most often Orangeville, then second to that would be the big hospital in Brampton and third to that would be just down the road here to the group of hospitals. I come down here quite a bit.

**Mr. Howard Hampton:** The downtown Toronto hospitals?



**Mr. Kenneth Topping:** Yes. That's why I was so flummoxed today. I usually come down here in about an hour and a half and I couldn't find any of my usual routes that worked today.

**Mr. Howard Hampton:** We should be thankful it wasn't snowing. It probably would have been three and a half or four hours.

**Mr. Kenneth Topping:** Yes, we're in the land of snow and blow up there, for sure.

**Mr. Howard Hampton:** I have no further questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The government, Mr. Brown.

**Mr. Michael A. Brown:** Thank you, Mr. Topping, for putting your name forward and enduring the trip. We are very pleased you put your name in front of us. The government will be concurring in your appointment.

**Mr. Kenneth Topping:** Thank you.

**Mr. Michael A. Brown:** In that vein, Mr. Chair, I would like to move concurrence in the appointment of Kenneth Topping to the Central West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The motion has been put to concur with the appointment.

**Mr. Michael A. Brown:** A recorded vote.

**The Chair (Mr. Ernie Hardeman):** Further discussion on the concurrence? Seeing none, all those in favour?

**Ayes**

Brown, Cansfield, Carroll, Crozier, Pendergast.

**The Chair (Mr. Ernie Hardeman):** Opposed? The motion is carried.

So though you were somewhat delayed in your travelling, we made up for it in the time you had to spend in front of the committee. Thank you very much again for putting your name forward and coming in this morning and enlightening us on your endeavours. We do wish you well in all your future endeavours.

**Mr. Kenneth Topping:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** And keep up the good work. Thank you.

**Mr. Kenneth Topping:** Thanks a lot.

**The Chair (Mr. Ernie Hardeman):** With that, the next meeting of the committee will be at 9 a.m. on Tuesday, October 19, here in committee room 1. We're going to beat the bell.

The meeting is adjourned and we'll see you here on the 19th.

*The committee adjourned at 1021.*











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### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 19 October 2010

# Journal des débats (Hansard)

Mardi 19 octobre 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

Nominations prévues

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 19 October 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 19 octobre 2010

*The committee met at 0902 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** Good morning. We'll call the meeting of the Standing Committee on Government Agencies to order.

The first item on the agenda is to thank you all for being here. The second item, of course, is the report of the subcommittee on committee business dated Thursday, October 7, 2010. Do we have a motion to deal with the subcommittee report?

**Mr. Michael A. Brown:** Chair, I so move.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? If not, all those in favour? Opposed? The motion is carried.

That concludes the "other business."

## INTENDED APPOINTMENTS

## MS. LORRAINE GANDOLFO

Review of intended appointment, selected by official opposition party: Lorraine Gandolfo, intended appointee as member, Central West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** We'll now go to the interviews. The first interview this morning is Lorraine Gandolfo, recommended as a member appointed to the Central West Local Health Integration Network.

Lorraine, welcome, and thank you very much for coming in for the interview this morning. We will start the interview by allowing you an opportunity to say a few words about your application. Then each party will have an opportunity to ask you any questions. We will start the questioning with the third party.

With that, we'll turn the floor over to you and you may make your presentation.

**Ms. Lorraine Gandolfo:** Bonjour, mesdames et messieurs. Je vous remercie de m'accueillir ici ce matin. Je suis honorée de me présenter à vous comme candidate au RLISS du Centre-Ouest.

Thank you very much for having me this morning. I wish to thank the members of the committee for giving me the opportunity to introduce myself as a credible member and candidate for one of the board positions on the Central West LHIN. I want to keep my opening

remarks brief to allow members of the committee to ask questions, as I'm sure you may have some.

Our family moved to Brampton, or at least Ontario, in 1977. We've watched the Brampton area thrive and the population numbers balloon—a community now of almost half a million, just shy of half a million.

As an active member of that community, I have been working with groups to secure local access to child care, education and health services over the years.

If you look at the continuum—I was reflecting on this, this morning—it's almost like cradle to the grave: child care, and I'm on my way to the other end, I suspect.

The area covered by the Central West LHIN is one that I know well, and I wish to serve it. It's home to a very dynamic and young generation of citizens. There was an opening on the board of the LHIN, and it seemed to me a good opportunity to contribute to furthering access not only for the francophone community in the area but also for any and all residents.

My 11 years as a school board trustee on the Dufferin-Peel separate school board, the French language section, have provided me with valuable experience on governance issues and I think will serve me well on the LHIN board.

I have been on staff with the Ontario Trillium Foundation since 2001. This has allowed me to be in contact with not-for-profit groups from across the province and provided me with a pretty good provincial perspective on several issues.

I responded to the opening on the LHIN board by first submitting my name through the Public Appointments Secretariat. I was interviewed by the Central West LHIN board, and I'm honoured that they felt that I would be a suitable candidate, hence my appearance before you today.

Merci de votre attention. Je suis ouverte à toutes vos questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We will revert back to the third party if they arrive before the end, but if we can, we'll start with the government side for questioning.

**Mr. Michael A. Brown:** Ms. Carroll has a question.

**M<sup>me</sup> M. Aileen Carroll:** Simplement pour dire bienvenue. C'est un grand plaisir de vous avoir ici parmi nous. J'ai lu tous les détails de votre CV; c'est bien recommandé. Je n'ai pas de problème. Il n'y a pas beaucoup de questions, mais je pensais que peut-être



vous pourriez nous expliquer votre point de vue au sujet de la langue française dans le monde de la santé publique ici et si vous êtes contente qu'il y a assez de programmes disponibles pour les francophones.

**M<sup>me</sup> Lorraine Gandolfo:** Je vais répondre en anglais, si vous me le permettez.

**M<sup>me</sup> M. Aileen Carroll:** Oui.

**Ms. Lorraine Gandolfo:** I believe your question is wanting my opinion on whether francophones have equitable access to health care services in French, and the short answer is no. There's been a valiant effort over the years, depending on where you live in the province. For the area covered by the Central West LHIN, there have been some improvements but not close to where it should be in terms of wanting to have access.

0910

Even though people may speak English as I do, there are a couple of very personal situations where you need to have access in your own language. Our francophone community, particularly in that area, as statistics demonstrate, is made up of a multitude of newcomers from countries where French is the second language and English is nowhere in the picture. So there's quite a chunk of the population that doesn't have access.

I would love to be able to contribute as a member of the LHIN board to trying to help in the planning to make sure that these requirements and needs are kept at the forefront. We have French-language schools; we have had them for many years. We have French-language child care. It seems to me that the next logical step is that we all have access.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown?

**Mr. Michael A. Brown:** Thank you for putting your name forward and offering yourself to the province of Ontario and this particular LHIN. I just want to indicate to you that the government will be concurring in your appointment.

**Ms. Lorraine Gandolfo:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** We'll now go to the official opposition. Ms. MacLeod.

**Ms. Lisa MacLeod:** Welcome, Madam Gandolfo. It's very nice to have you in. As somebody who represents a riding in eastern Ontario, in the city of Ottawa, it's important for me that we see a linguistic balance on many of our committees that we perhaps haven't seen. You're one of the very few francophones I've seen actually being appointed to a LHIN province-wide. It was nice of you to come in here today. I appreciate that.

I also wanted to comment on your strong public service background. I think you're definitely the type of person that this province needs to attract and bring forward.

I have a quick question for you with respect to accountability purposes. The official opposition has been very clear that this time hopefully next year we won't be talking about appointments to the LHINs; we'll be looking at a different model in health care. One of the big issues that we're seeing, and we'll see this more tomorrow with the Auditor General's report, is account-

ability within our health care sector. That's why I'm wondering if you're supportive of an idea of providing full disclosure of contracts over \$10,000 to all provincial bodies, so that full disclosure would mean whether you're at the LHIN or whether you're at the Trillium board or any other publicly appointed body.

**Ms. Lorraine Gandolfo:** Thank you for that question. As a government agency, the Ontario Trillium Foundation abides by all of the disclosure, all of the procurement policies, and I don't see how the LHIN can do otherwise. So if the policy is the \$10,000, I think that, providing all the rules are clear and everybody knows what the expectations are, I have absolutely no problem with that.

**Ms. Lisa MacLeod:** Wow, your attitude towards public accountability is very refreshing. I'd like to thank you for coming in today.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation this morning and we do look forward to dealing with concurrence when we've had all the interviews.

We thank you very much for coming in and we wish you well in your future endeavours.

#### MR. PATRICK O'MALLEY

Review of intended appointment, selected by official opposition party: Patrick O'Malley, intended appointee as member, Erie St. Clair Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our next appointee is Patrick O'Malley. Patrick is an appointee as a member of the Erie St. Clair Local Health Integration Network.

Mr. O'Malley, thank you very much for coming in. As with the previous delegation, we will give you an opportunity to make your opening statement, if you wish. We will then have questions, 10 minutes from each party, about your opening statement or application, and that will then conclude the interview. We will start the next round of questions with the official opposition. With that, we'll turn the floor over to you to make your presentation.

**Mr. Patrick O'Malley:** Thank you, Mr. Chair. Good morning. Thank you for inviting me here this morning. I appreciate the opportunity to appear before you today to discuss my appointment to the board of the Erie St. Clair LHIN.

I currently work at Lambton County Developmental Services in Petrolia. We're a non-profit agency providing 24-hour support and day support for individuals who are developmentally challenged. Serving Lambton county, we have approximately 20 homes and three day programs. We're 90% funded by the Ministry of Community and Social Services. There was a question about the conflict of interest around being funded through the ministry, but the Ministry of Health is quite different. Maybe someday the two will merge, but at this point, I cannot see that.

Last week, I was appointed the executive director for Lambton County Developmental Services. The current



executive director just left. He's gone to a mental health agency in London. I do have the full support of my board for this appointment. I did mention it to them, and they are fully supportive of it. Funding for Lambton County Developmental Services is about \$9.5 million. As I said, it has come from the Ministry of Community and Social Services.

My background includes over 25 years in hospitals. I've been through various hospitals. I began my career in a small hospital in Hanover, Ontario. At that time, we had 72 beds, so it was very small in comparison to a lot of hospitals; I believe today they're down to 49 beds. This was a very good training ground to get my career started in the hospital industry.

I then moved on, looking for something bigger and better. Actually, I moved on to northern Ontario, to Thunder Bay, where I was vice-president of corporate services in the large McKellar General Hospital. This was very valuable experience in just getting a feel for the north in regards to what northern Ontario hospitals face. The travel time is a huge difference. One of the things I really noticed when I went up there—they talk about driving four, five, six hours for a Friday night or going over and coming home on Saturday. Living in southern Ontario, I thought a two-hour drive to Toronto was a big drive. So it was quite a change when you talk four, five and six hours versus two hours in southern Ontario.

In 1989, I moved to Sarnia and was employed by St. Joseph's Health Centre. During the following 17 years with the hospitals in Sarnia, I was very involved in the amalgamation of the three hospitals. There was CEE Hospital in Petrolia, St. Joseph's and Sarnia General Hospital. I'm sure a lot of the members here are aware of all the politics and the things that happen in Sarnia. It was a very good experience, and I think I have a lot of experience I could bring to the board on that behalf.

I was also involved with the joint policy and planning committee for quite a few years. I was on the funding committee. The joint policy and planning committee is a tripartite committee—it was, I should say—of the Ontario Hospital Association, the Ministry of Health and hospital representatives. The goal of the JPPC was to formulate a funding formula for Ontario hospitals. That proved to be a very large job, and when I left the hospital industry, it was still being worked on.

Why am I interested in the LHIN? I am looking forward to retirement in two or three years. Back in January, Leland Martin, who's a board member of the Erie St. Clair LHIN, came to my office one day—and I knew Leland from when he was on the board at the hospital. If you know Leland, he says, "I just need two minutes of your time." Leland's two minutes is one hour, so by the time he was done talking to me, he thought I would be a good fit for the Erie St. Clair board.

With all my past experience in hospital funding formulas, I'd like to see what the future holds in hospitals. The LHINs have created a big change for the hospitals, and I would like to be involved in that. Perhaps with all my background in health care, I can help out

with that. I know over many years in the hospital industry, we often complained about the ministry, about the funding formula and about how hospitals were funded. This is going to give me a chance to see it from the other side also.

My extracurricular activities have included time on the Lambton Financial Credit Union board—which was an interesting experience, given it's something totally different than hospitals. The Lambton credit union is a small credit union in Sarnia. It's got four branches. I also am involved with the Knights of Columbus, and I've held various positions on the executive of the club. I also love to golf. My wife and I golf regularly and we go on golf trips. We're members of the Huron Oaks golf club in Brights Grove. Some of you may know that this is the home where Mike Weir grew up. I don't know Mike personally, but he was at the club.

I've been married for over 34 years. I have three daughters, a grandson and a granddaughter. My oldest daughter is a registered nurse working in the Stratford hospital, my middle daughter is a criminal lawyer in London, and my youngest daughter is completing her Ph.D. in cognitive psychology at Waterloo. I'm very proud of all the accomplishments of all my children.

To summarize, I believe that with my background with hospitals and my financial experience, I am a good candidate for the Erie St. Clair LHIN.

I'll be happy to answer any questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start with the official opposition. Ms. MacLeod.

0920

**Ms. Lisa MacLeod:** Thanks very much, Mr. O'Malley; that was a great presentation. Congratulations on your new position and congratulations on your 34 years married.

**Mr. Patrick O'Malley:** Thank you.

**Ms. Lisa MacLeod:** That's quite an achievement. I can see the pride in your family and the job that you do.

I've got a couple of quick questions for you. You've got extensive experience in hospital funding and extensive background in health care. A couple of issues have come up in this chamber and will start coming up again as we approach the next few days and certainly in question period will be coming up. Do you support expanding freedom-of-information requests to hospitals?

**Mr. Patrick O'Malley:** To hospitals?

**Ms. Lisa MacLeod:** Yes. The OMA, at one point, and the Ontario Hospital Association both suggested that this might be a good mechanism to open up public accountability and transparency for tax dollars.

**Mr. Patrick O'Malley:** I think it's a good thing having freedom of information. The interesting thing is, you have to be very careful about personal information. If it's for a patient, for an individual, they may not want people to know. You've got to be very careful what information you make available.

**Ms. Lisa MacLeod:** Yes, following privacy laws for sure.



**Mr. Patrick O'Malley:** You've got to follow privacy laws all the way through. Some people are more open than other people. If you have the proper processes in place to give the information properly and the information is being obtained for the proper purposes, I don't see a problem.

**Ms. Lisa MacLeod:** Excellent. I have just one more question for you, similar to the one that I asked Madam Gandolfo. I talked to her about contracts over \$10,000. I put forward a private member's bill called the Truth in Government Act, which would have ensured that contracts over \$10,000 would have been made available to the public. Similarly, I requested that the Legislature also have full disclosure of all travel and hospitality expenses that would apply online, including the LHINs. That would mean that, within three months—the federal government does this within three months—those very broadly get posted online. They also do it in a couple of other provinces. I'm just wondering if you see yourself supporting greater transparency in the disclosure of hospitality and travel expenses.

**Mr. Patrick O'Malley:** The \$10,000 figure: I'm not sure if that's a good figure or a bad figure. It seems pretty low to me. I think \$10,000 nowadays in the environment, the dollar figure—there'd be a lot of contracts that would have to be disclosed.

I have no problem with public accountability. If people have something to hide, then there is a problem. I think public accountability is good, to open up information to the public in the proper forum again. What you do want to somewhat avoid is someone on a personal mission. They're just digging just because they don't like someone. I think we just saw that on the Petrolia town council. We have one individual who went after the mayor. He just went after him and after him and after him. He was even using information that wasn't even truly accurate. You need to make sure that accurate information is out there and it is open to the public.

**Ms. Lisa MacLeod:** That's an interesting comment. Thanks very much for that.

Just out of curiosity: You think that \$10,000 is low. What would you suggest would be a better number—\$25,000, \$15,000?

**Mr. Patrick O'Malley:** I think you could try \$10,000 but then you'd get so much information, it creates—

**Ms. Lisa MacLeod:** Just so you're clear, the federal government has already adopted the same mechanism in place.

**Mr. Patrick O'Malley:** So it's probably a good number to follow their lead. I guess it's working for the federal government also.

**Ms. Lisa MacLeod:** Excellent. Thank you very much, and enjoy.

**The Chair (Mr. Ernie Hardeman):** We'll now go to the third party. Mr. Hampton.

**Mr. Howard Hampton:** I have just a couple of questions. When I saw that your name was being put forward and saw that you used to work with Bluewater Health, I made a few phone calls to Sarnia and area just

to see how people felt about what's happening in their health care system. The general response I got is, people are not happy. People are very concerned about cuts that have been made, reductions that have been made, services that have been lost. In fact, I had more than a few people say to me, "We feel what's really happening is services are being taken out of our community and they're being centralized in other places." How do you propose to deal with that as a member of the LHIN, where people feel that what's really happening is that health care services are being removed from their community?

**Mr. Patrick O'Malley:** It's interesting that wherever you live, people always think someone else is getting something better. Sarnia is on the edge of the territory, when you look from Sarnia to Windsor to Chatham. So I agree; things seem to be going toward Chatham way, especially from the administrative side. When you look at the procurement system, they now have central purchasing in Chatham. They have the computer system that's being centralized, and a lot of that is moving to Chatham. I think what you have to look at is: What health services are required in Sarnia and are they being provided there? When you hear comments like that, you often ask, "What services are you talking about? What services have moved down to Sarnia in recent years?"

I was in Sarnia hospitals when we closed the obstetrics at Petrolia, and that again was a huge problem. "You're leaving Petrolia and going to Sarnia?" It was like it was the end of the world, although in Petrolia it was not viable anymore. I think the last year of service, there were 19 births in Petrolia. Again, it just made no sense. You couldn't keep the skill set up of nurses. You couldn't keep the doctors up, so it moved to Sarnia. Petrolia residents were very unhappy.

So you can see it going both ways. You can say, "Is it going to Windsor?" Mind you, in Sarnia most people go to London for health care. If they need a specialist, if they need cancer surgery, a lot of times they'll go to London, not toward Windsor.

There are different opinions across the board. Sometimes I think it is better to keep it locally; other times, if you really need a specialist, someone who does health care all the time, you may not be able to get it locally, and that's a difficult decision to make. You can't have every specialist in every community across the province.

**Mr. Howard Hampton:** I was actually surprised by the course of opinion that people perceived that the health services that were being offered in the Sarnia area were much less now than, say, 10 years ago. It struck me, when you hear that not from one person but if you call 10 people, you hear it from seven or eight. What does that say to you needs to be done?

**Mr. Patrick O'Malley:** It is a concern. Maybe the hospital needs to do more communication with the public. I don't share that same view. I don't believe a lot of the stuff has moved out. The hospital has grown and new physicians have come into town. Again, I see more stuff going toward London than I do Windsor or Chatham.



It would be interesting to find out who has not received service in Sarnia, and if that's the reason why they have that concern, where did the service go to? In renal dialysis they have a problem getting enough beds. Some of that's a funding issue, just trying to be able to have dialysis in Sarnia. There is a backup on it. So there is some concern there. I think the LHIN needs to take a look at those concerns and try to address them in some manner.

**Mr. Howard Hampton:** Okay.

**The Chair (Mr. Ernie Hardeman):** We'll go to the government side. Mr. Brown.

**Mr. Michael A. Brown:** Thank you, Mr. O'Malley, for putting your name forward. I am one of the few people in this room who knows where Camlachie is, I'm sure. My great-grandfather was a vet, but my great-grandfather's brother practised in Camlachie.

**Mr. Patrick O'Malley:** I'm impressed you even said it properly. Most people don't.

**Mr. Michael A. Brown:** And I'm quite familiar with the Sarnia health care system in that my brother and sister live there. My sister is actually married to one of the physicians. So I do know about it.

I wonder if you could tell me what services actually have left. I am very surprised by what the leader of the third party just said. I do know that you have a new hospital. I do know that there are more physicians. While no system is perfect, this system is working quite well—not that it doesn't need some more attention. Maybe you could comment. Do you know of any services that have left the area?

I'm a northern member, so I appreciate your service in Thunder Bay. It gives you a bit of the feeling of what we do, but Mr. Hampton and I would both agree that what happens in Thunder Bay isn't necessarily what happens in Fort Frances or Elliot Lake. From that viewpoint, are there services that have left that are more appropriately provided in the Sarnia-Petrolia area?

0930

**Mr. Patrick O'Malley:** I don't know of any services I would say actually left. I know in the past, I'd say, seven or eight years, a big issue has been palliative care. We at the hospital had a 12-bed palliative care unit, and we looked at the costing of it. It was very, very expensive. If you look at beds being around \$350 a day per patient, that unit was running in the \$600 range at the time, so the hospital had to make a very tough decision: "Can we afford to continue palliative care?" That became a huge issue in Sarnia.

It was downsized. There was the new St. Joe's hospice opened. The beds actually didn't move out of the community, but the community may have seen that and said we had downsized that, it was no longer available.

As far as other services, I'm not aware of any that I'd say picked up and left.

**Mr. Michael A. Brown:** Have you had any communication with your local member of the Legislature in any sort of way?

**Mr. Patrick O'Malley:** In relation to this appointment?

**Mr. Michael A. Brown:** Yes.

**Mr. Patrick O'Malley:** About three weeks ago I got a congratulatory letter from him.

**Mr. Michael A. Brown:** That's very good. Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you.

*Interjection.*

**The Chair (Mr. Ernie Hardeman):** Did you have another question?

**Mr. Michael A. Brown:** No.

**The Chair (Mr. Ernie Hardeman):** Okay, thank you very much. That concludes the questioning, and we thank you very much for being here this morning and answering all the questions—somewhat more interesting, actually answering questions, as opposed to what we usually do. So we thank you very much and we do wish you well in your future endeavours.

#### MS. LYNDA DAVENPORT

Review of intended appointment, selected by official opposition party: Lynda Davenport, intended appointee as member, Waterloo Wellington Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our next delegation is Lynda Davenport, an appointee as a member of the Waterloo Wellington Local Health Integration Network. Is Lynda present? If you'll come forward.

I notice we're moving along just a little quicker this morning, as we do other times. We didn't give you much time to get settled in upon your arrival, but we do thank you very much for coming in. We will provide you an opportunity to make an opening statement if you wish, and upon completion of your opening statement we will then have questions. Each party will have 10 minutes to ask questions, if they wish, about your presentation and your appointment. We will start the questioning this round with the third party.

With that, the floor is yours and you can make your opening statement. Thank you very much for being here.

**Ms. Lynda Davenport:** Thank you very much for the invitation to meet with you today while you consider my possible appointment to the Waterloo Wellington LHIN. I just have to say I've been enjoying being out there, walking around. It was quite a number of years ago that I'd been in Queen's Park, so it's actually quite humbling.

Currently I work at the University of Guelph as the director of student health services. I've been a long-time servant of health care in post-secondary education in Waterloo and Guelph-Wellington. You will see from my resumé that I'm a registered nurse. I have a diploma in nursing from Toronto General Hospital, an undergrad degree from Wilfrid Laurier and a master's in education from Brock University.

Over the years, I have been a direct service provider, an educator and a small business owner. I've worked in nursing and health care management leadership positions.



As a volunteer, I've been on professional nursing and allied health discipline boards and on governance and advisory committees of both health care and community colleges, and I also volunteer from time to time for some special events for charitable organizations. Always, I've been a lifelong learner.

This current opportunity to volunteer for the Waterloo Wellington LHIN came to my attention in an ad in the Saturday Guelph Mercury newspaper sometime in the late spring. I don't recall exactly the date. It interests me because I do believe that communities should be more invested in determining their health care and their service priorities. Although at times it's always easy to complain, it's tough sometimes to get in and make the difficult decisions that have to be made. But I do think that it's imperative that individuals take personal responsibility for shaping their communities.

I was involved in the district health councils years ago, and have been curious about this newest attempt to divest responsibilities from a centralized system to a decentralized, more local one. The district health councils were advisory, as you probably all know, and didn't have the authority to require the collaboration and innovation in community solutions and to hold agencies accountable.

The health agenda at the time always seemed to be driven by the big voices of large cities, physicians, and big hospitals. Those voices didn't always address the issues of small, rural communities and small urban centres that were challenged by just simple transportation issues sometimes, different social and cultural structures, different services, a desire for more local solutions, and difficulties recruiting and retaining specialists and other health providers. Also, there are different health risks outside of the large centres.

I've been impressed with the Waterloo Wellington LHIN's progress. My exposure to the LHIN so far—there seems to be more accountability between agencies and more collaboration in the development of programming or solutions. There has been community engagement and consultation to ensure that local needs are being heard and addressed. And there does seem to be a stronger invitational approach to the community to become engaged in that decision-making.

For nearly 10 years now, I've been on the board of the Wellington-Dufferin-Guelph Health Unit. My term's coming to a close and I'm not seeking reappointment. It's time to move on and for new participation from other community members. It's been a wonderful opportunity and I strongly believe that public health is exceptional value for our health care dollars, not only in terms of the significance of public health in the general well-being of individuals but also the health and safety of communities, so I'm a big fan of public health.

But when I saw this ad in the Mercury, I was really interested. I'd always enjoyed the health council opportunity. As I said, I really believe in community engagement in local health planning. I watched the LHIN develop, through media and feedback from colleagues, and was very keen to participate in the ongoing development and evaluation of health care.

Especially of interest was that it had joined Waterloo and Wellington. I'd lived in Kitchener for a number of years, so it was kind of nice to be familiar with two communities—and even with north Wellington; I became familiar with that through my work with public health.

I would also hope that my experience in health care, in public health, in governance and my community involvement would be of value to the LHIN. I hope that I can engage other community members to participate in the planning and discussions around community health issues.

I'm not naive about the challenges or the costs of health care. I do believe that a process is important in decision-making. I understand competing priorities. I understand disparity between communities. I understand the concepts of centres of excellence, rationalization, regionalization and territorialism. I understand that some solutions and services won't come fast enough to solve a personal crisis, and I understand that we don't all have the same priorities at the same time. I also understand the disappointment of passionate lobbying that's unsuccessful.

I believe that tension and passionate debate among committed individuals often produce the best solutions, and I don't shy away from those moments of discussion.

I'm invested in these communities. I care about a health network. I believe a system is important.

For my family, my friends, my neighbours, the students I work with, my colleagues, I believe that we should have a voice in this planning, and I believe that it should be a respected and participating voice in determining priorities. I see the LHIN offering those possibilities at this time, and I sincerely would like to be involved.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation, and we'll now go with the questions. We'll start with Mr. Hampton from the third party.

**Mr. Howard Hampton:** I thank you for your presentation. I just want to refer to a couple of things that you referred to in your presentation.

I think most people were shocked a couple of weeks ago to find that there are a number of hospitals in the province that are spending in the range of \$100,000 a year, sometimes more than that, for paid lobbyists to lobby the Premier's office, to lobby the Minister of Health's office. And I'm trying to figure out, if LHINs are trying to integrate the health care system, where's the line item that says "Money for paid lobbyists"?

**Ms. Lynda Davenport:** That's a good question, and I'm afraid I don't have a good answer for it. I think that it's that level of accountability that hopefully, over time, the LHINs will be able to address. I don't know.

0940

**Mr. Howard Hampton:** I try to put it in the perspective of real people that I know. I'm dealing right now with communities where people are waiting long periods of time to get access to a long-term-care bed. I had an enraged family come to my office a couple of weeks ago. Their mother is an 89-year-old senior; she's suffering from Alzheimer's. They've been trying to care for her at home because they can't get access to a long-term-care



bed, and they get a letter from the local—well, the regional—community care access centre saying, “There is a long-term-care bed you can apply for. It’s 550 kilometres from your community.” When people get that letter and then they hear that some hospitals and other health care institutions are spending upwards of \$100,000 a year on paid lobbyists, this doesn’t sound like integration or rationalization of the health care system to them. What does it sound like to you?

**Ms. Lynda Davenport:** No, I agree, and having worked in long-term care, I totally appreciate some of the dilemmas that families face. I think that as with anything—I think the LHINs are new. I think that there’s still a lot of decisions, as I understand, about what’s going to be their responsibilities; all of the accountabilities haven’t been transferred. I think those are the things that people do need to be held accountable for, that hospitals need to be held accountable for in communities. Like I said, I don’t think that you can ever find solutions in enough time to satisfy all of the needs for and the expectations for health care. I’m sure you would hear the bad stories and the demands on service that aren’t being met.

**Mr. Howard Hampton:** May I ask you one other question? I ask this because of your experience in public health: I’m being approached by people who work in public health who are very worried about what they see happening to public health. They don’t see public health as being a priority. What do you see?

**Ms. Lynda Davenport:** I don’t see public health being enough of a priority either, to tell you the truth, and I think that—

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** Order. Over there, not you.

**Ms. Lynda Davenport:** Oh, sorry.

No, I don’t think it’s enough of a priority either, as I said. I mean, I think it’s an essential service. I think that it’s competed, often unfairly, with the sexiness, as I call it, of hospitals: of big hospitals, of heroic solutions to health care. I think one of the reasons I’m a fan is that if you look sort of statistically at the success of public health versus the success, sometimes, of the acute care system, you’ll find that without public health, really, you’ve got nothing. When you’ve got a shortage of family physicians and you’ve got demands on services, public health, I think, provides the basic, essential health care in communities. I don’t think it gets its fair deal.

**Mr. Howard Hampton:** So with the way in which LHINs are set up and the way in which health care is funded, how do you see public health getting the priority that—I think for all of us, if we took a step back and looked at the systems, investments in public health probably pay more than investments in most other areas of health care. How do you see public health getting a fair deal out of the current structure?

**Ms. Lynda Davenport:** Well, I think it was very wise that it didn’t go into the LHIN pot, I have to say. I think it’s good that it stays out of that, that it doesn’t compete with hospitals, acute care and other community services for their share.

I think that with the building of capacity in health care you see more attention. Unfortunately the economy took a downward spiral, but I think the risks of SARS and the pandemic last year, those are things that have drawn attention to the need for capacity in public health. I sincerely hope that they maintain their own funding stream and they don’t come under the LHIN because I think it’s always difficult to compete. There’s a bit of motherhood and apple pie and do the good things; live well, eat well, sleep well; make sure your water’s clean, your hands are clean etc.—things that we really take for granted. I would hate to think that that would have to compete with, as I said, the heroic interventions, the situations you were talking about earlier about long-term care. Public health needs to be identified as an essential part of community service.

I could go on about the funding model—the shared funding between municipalities and the government. I was really pleased that public health got more of the public purse a few years ago; that it relied less on municipal funding because I think that there was too much politics involved in decision-making around that budget and that didn’t always advantage the citizens of an area, ensuring that they had a similar level of service.

I could debate funding for public health for some time, but I think that it’s best left in its own funding stream out of the LHIN. It doesn’t have to compete that way, and it shouldn’t. I don’t know whether I’ve answered your questions.

**Mr. Howard Hampton:** It seems to me if you’re building an integrated health care system, one of the biggest pieces you want to integrate is public health.

**Ms. Lynda Davenport:** And I think that a lot of the services of public health and the dialogue and discussion are present in the community. Certainly in our community, our public health has engaged with—we actually touch on a couple of different LHINs, the Wellington-Dufferin-Guelph Public Health. So the way the divisions were made, it’s been important that dialogues exists.

I think the competition is greater between hospitals and acute care. I think that there are lots of system opportunities that can be created by concentrating on that and partnering with public health. At some point, maybe it comes in, but the LHIN needs some time still, I think, to sort out a lot of the community-relation issues where there is more transfer and sharing of care.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. To the government side: Mr. Brown.

**Mr. Michael A. Brown:** I just want to thank you for putting your name forward before us to work with and on the LHIN. Your experience is remarkable in that it touches on such a wide variety of both caregiving and supervision, should I say, of those. That’s something we value a great deal. I just wanted to indicate to you that the government will be concurring in your appointment.

**Ms. Lynda Davenport:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. To the opposition: Ms. MacLeod.

**Ms. Lisa MacLeod:** Welcome, Ms. Davenport, and thanks for taking the time to speak with us here today. I



noticed you've got quite an extensive background in health care and long-term care. It's certainly important to bring that expertise forward to the province in some facet or another.

I have a couple of quick questions on accountability. It's no secret that PC leader Tim Hudak has serious concerns with the LHINs. One of the biggest challenges the LHINs face, I think, is accountability. Previously, Mr. McGuinty had promised a review of the LHINs, and that has not moved forward. Some would suggest it's breaking law, others would suggest it's just turning a blind eye to it. Given the problems we've seen in health care, whether we're talking about what Mr. Hampton sort of indicated, which is the hospital spending millions of dollars—\$100,000 at one facility—on paid lobbyists, and then we look at Cancer Care Ontario and eHealth: Would you be in favour of a review of the LHINs?

**Ms. Lynda Davenport:** Absolutely. I don't think that any good idea should go unexamined over time. I think that evaluation's always important. I think it would have been very helpful if, at the onset, there had been a criteria determined and if there was some baseline information on what the success of centralized funding and centralized management of health care had produced as well. I'm not quite sure how the LHIN would be evaluated, what it would be evaluated against because that criteria, as far as I know, wasn't really established. I know there were goals.

0950

In terms of evaluation, probably the best idea is to lay out your evaluation plan at the outset so that you can determine more clearly what it is that you've set out to do and whether or not you've achieved that. I'm a big supporter of evaluation, and I don't have a problem putting closure to something if it isn't working.

I just think that this idea, the district health council idea a few years ago—I do think that community engagement in such an important issue as health care and health care services is really important. I hope that the evaluation is done with regard to—

**Ms. Lisa MacLeod:** With regard to that, the Hamilton Niagara Haldimand Brant LHIN handed out a \$75,000 contract to a US health care consultant for undefined "community engagement." That has raised the ire of many people. I guess the question I would then go to you with is, should you bear witness to an untendered contract such as that one, would you raise it with the appropriate ministry officials?

**Ms. Lynda Davenport:** I would like to think I would. I have to say that the whole idea of—I was surprised that in this building I saw somebody with a Tim's cup. I was going for coffee, and I said, "Oh, is there a Tim Hortons here?" They said, "No, there's a cafeteria." They didn't know the name. It's Seattle's Best or something, which is good coffee, but it struck me, hmm, why aren't we having Tim's? In the legislative building of Ontario, the home of Tim Horton—

**Ms. Lisa MacLeod:** They save that for the government right across the way. That's why. They get the special treatment.

**The Chair (Mr. Ernie Hardeman):** Just across the street is a Tim's.

**Ms. Lynda Davenport:** So I think, yes, there are always—

**Ms. Lisa MacLeod:** I just make it in my own office and call it Nepean's Best. I only drink tea.

**Ms. Lynda Davenport:** I would hope that I would have the integrity to speak my piece on some of those things. Some of these issues offend many. I wouldn't knowingly contribute to that kind of funding. I wouldn't knowingly give a contract without due consideration of not only costs but outcomes, anticipated outcomes, reputation—all the things that matter. I would hope that I would.

**Ms. Lisa MacLeod:** Just one final question—and I appreciate that answer, Ms. Davenport. Are you familiar with the Ombudsman's recent report on the LHINs?

**Ms. Lynda Davenport:** The one about transparency and engagement? Yes, I am.

**Ms. Lisa MacLeod:** What are your thoughts on that? Obviously, it's a "We can do better" message. What are your thoughts?

**Ms. Lynda Davenport:** As I said, I'm a huge supporter of community engagement. Student engagement: We're big on that at the university. I really think that if you're in any kind of public service, whether you're a volunteer or paid for it, you need to be listening to the voice of the people that you're there to represent. I don't have any particular position that I would really promote except an openness and an ear.

**Ms. Lisa MacLeod:** Okay. Listen, thanks very much for your time here today.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. That concludes the interview, and we thank you for coming in. We apologize for unintentionally almost cutting you off.

**Ms. Lynda Davenport:** That's okay.

**The Chair (Mr. Ernie Hardeman):** It wasn't intended for the speaker.

We do thank you for you coming in, and we will consider concurrence on your appointment following the interviews. Thank you very much for your participation, and we wish you well in your future endeavours.

**Ms. Lynda Davenport:** Thank you.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning. If we want to go to concurrences, first, we have Lorraine Gandolfo as member of the Central West Local Health Integration Network. Do we have a motion?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Lorraine Gandolfo as a member to the Central West Local Health Integration Network. Recorded vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Chair, I request a deferral.

**The Chair (Mr. Ernie Hardeman):** A deferral has been requested. We'll have the vote on that at the next meeting.



**Mr. Michael A. Brown:** I move concurrence in the appointment of Patrick O'Malley as a member, Erie St. Clair Local Health Integration Network. Recorded vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Requesting a deferral.

**The Chair (Mr. Ernie Hardeman):** We have another request for a deferral. That will be a deferral until the next meeting.

The third appointment?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Lynda Davenport as a member to the Waterloo Wellington Local Health Integration Network. Recorded vote.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** Request for deferral.

**The Chair (Mr. Ernie Hardeman):** Another request for deferral has been requested—

**Mr. Michael A. Brown:** On a point of order, Chair: Does the deferral of the vote also mean deferral of the recorded vote?

**Ms. Lisa MacLeod:** Yes.

**The Chair (Mr. Ernie Hardeman):** Yes.

**Mr. Michael A. Brown:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Okay, that concludes the appointments.

Now, we do have a little order of business for the next meeting. First of all, we have an appointment for the next meeting for an interview of a Michael Shea for a member of the Hamilton Niagara Haldimand Brant LHIN. That appointment has been scheduled for the next meeting, but that's the only appointment scheduled for the next meeting. We also have a—

**Mr. Michael A. Brown:** So that's next Tuesday?

**The Chair (Mr. Ernie Hardeman):** Yes.

**Ms. Lisa MacLeod:** Mr. Chair, given that there's a subcommittee report that the third party has requested to bring in the new chair of the OSC, I would put a motion forward for unanimous consent that we do them both at the same time, whether that is next Tuesday or the following—

**The Chair (Mr. Ernie Hardeman):** The reason I brought this up is because it doesn't necessarily require a subcommittee. If the member of the third party has already—maybe he'd like to speak to it—requested that that interview be conducted, that could then be tried to be arranged for the next meeting to move that one along. Mr. Hampton?

**Mr. Howard Hampton:** Whatever works for the committee. We think, given some of the things that have gone on at the Ontario Energy Board, we want to ask some questions of the proposed new chair of the Ontario Securities Commission. So, whatever works for the committee.

**Mr. Michael A. Brown:** I'm sorry—you have to bring me a bit up to speed. Is the chair of the OSC, is he—

**The Chair (Mr. Ernie Hardeman):** Yes, Howard Wetston is presently the chair of the Ontario Energy

Board. He is being recommended by the government to be chair of the Ontario Securities Commission. That was published in the newspapers this past week. He has not yet been interviewed or had not been on a certificate coming to the committee for the subcommittee to ask for him to be brought before the committee. That's why I'm doing this with the full committee, which can override a subcommittee. That would facilitate the ability to interview him next week.

**Ms. Lisa MacLeod:** Or, I guess the other thing is, Mike, I think if we left it so that they were both at the same time, it would either be next Tuesday or we could grant a deferral for our intended appointee next week, who would then—we wouldn't have to meet next week. We would just push that back and give them a week extra to attend, the OSC chair.

**Mr. Michael A. Brown:** I wouldn't want to preclude the committee from voting on the people who were proposed today, either.

**Ms. Lisa MacLeod:** Okay.

**Mrs. Donna H. Cansfield:** I agree.

**Ms. Lisa MacLeod:** Whatever you want, but—

**The Chair (Mr. Ernie Hardeman):** Yes, Mr. Brown.

**Mr. Michael A. Brown:** So, help me with the process. My real question was process. The process is, we do not have a certificate?

**The Chair (Mr. Ernie Hardeman):** Yes, we have the certificate. It's been circulated through the three parties. The reply from the three parties that they want to interview the individual—the deadline has not yet been reached so they have not replied yet. That's why I asked the third party, because my understanding was that they were going to ask to interview that one.

The committee has every right to suggest that we move both of them to the next meeting. I just think it would be more beneficial to do report writing at the next meeting and have both interviews on the same day.

**Mr. Michael A. Brown:** Well, I think this is highly unusual. This should have been dealt with at a subcommittee meeting. We're a little bit uncomfortable, feeling almost that we have been blindsided on this without being able to give it much thought. So I'm not opposed to the idea, but I haven't been able to give it any thought and neither have my colleagues.

**The Chair (Mr. Ernie Hardeman):** I would point out that I've just been told by staff that it would be very inconvenient to do it next meeting because of the report writing. The staff have not yet received the certificate. So I would agree with you: If it's the committee's wishes then we will just move that, but it would also require the committee's concurrence that we change the one that was on for next week to move it one week hence, too.

**Mr. Michael A. Brown:** No, I think we should stay with the original schedule.

**The Chair (Mr. Ernie Hardeman):** Okay, so you want to interview that one and then we will finish the day off with report writing after the interview next week?

**Mr. Michael A. Brown:** Correct.



**The Chair (Mr. Ernie Hardeman):** So we're going to do one next meeting and one the following week. Is that right?

**Interjections:** Yes.

**The Chair (Mr. Ernie Hardeman):** Okay. With that, we thank you very much for your participation and we look forward to seeing you next week at 9 o'clock.

*The committee adjourned at 0959.*











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Tuesday 26 October 2010

# Journal des débats (Hansard)

Mardi 26 octobre 2010

## Standing Committee on Government Agencies

Intended appointments

## Comité permanent des organismes gouvernementaux

Nominations prévues

Chair: Ernie Hardeman  
Clerk: Katch Koch

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Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
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Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 26 October 2010

*The committee met at 0905 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** Since we have a quorum, we'll call the meeting to order. Good morning. Thank you, everyone, for being here this morning. We have a number of issues to deal with today.

We'll start off with the subcommittee report of October 21. Can we have a motion to deal with the subcommittee report? Mr. Brown.

**Mr. Michael A. Brown:** I so move, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** Mr. Brown moves the adoption of the subcommittee report of October 21. You've heard the motion. Any discussion? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MS. LORRAINE GANDOLFO

Review of intended appointment, selected by official opposition party: Lorraine Gandolfo, intended appointee as member, Central West Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** We now have to deal with a number of concurrences from our last meeting. The first would be the intended appointment of Lorraine Gandolfo as member of the Central West Local Health Integration Network. Can we have a motion for the concurrence?

**Mr. Michael A. Brown:** I've made that motion, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** Okay. We have a motion for concurrence from Mr. Brown. Any discussion on the motion?

**Mr. Michael A. Brown:** I think we've asked for recorded votes already.

## Ayes

Albanese, Brown, Cansfield, Lalonde, Rinaldi.

## Nays

Savoline.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 26 octobre 2010

## MR. PATRICK O'MALLEY

Review of intended appointment, selected by official opposition party: Patrick O'Malley, intended appointee as member, Erie St. Clair Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** Our second concurrence is the intended appointment of Patrick O'Malley as a member of the Erie St. Clair Local Health Integration Network, and we have a motion to concur with that from Mr. Brown on the table.

**Mr. Michael A. Brown:** Recorded vote.

**The Chair (Mr. Ernie Hardeman):** We have a motion. Any discussion?

## Ayes

Albanese, Brown, Cansfield, Lalonde, Rinaldi.

## Nays

Savoline.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

## MS. LYND A DAVENPORT

Review of intended appointment, selected by official opposition party: Lynda Davenport, intended appointee as member, Waterloo Wellington Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** The third one is the intended appointment of Lynda Davenport as a member of the Waterloo Wellington Local Health Integration Network.

0910

**Mr. Michael A. Brown:** Recorded vote.

**The Chair (Mr. Ernie Hardeman):** We have a motion to concur from Mr. Brown. You've heard the motion. Discussion? If not, all those in favour?

## Ayes

Albanese, Brown, Cansfield, Lalonde, Rinaldi.

## Nays

Savoline.



**The Chair (Mr. Ernie Hardeman):** The motion is carried.

That concludes the deferred concurrences.

MR. MICHAEL SHEA

Review of intended appointment, selected by official opposition party: Michael Shea, intended appointee as member, Hamilton Niagara Haldimand Brant Local Health Integration Network.

**The Chair (Mr. Ernie Hardeman):** This morning we have one interview. It's Michael Shea. Michael is recommended as a member for the Hamilton Niagara Haldimand Brant Local Health Integration Network. Mr. Shea, if you wish to come forward—I guess the best way to describe it is if you sit right behind that pitcher of water on the table.

We thank you very much for coming in this morning, Mr. Shea. As we do with all, we will offer you the opportunity to make some opening remarks. Upon the conclusion of your remarks, we will then have 10 minutes for each party to raise any questions as they relate to your appointment and your presentation. At the end of that, that will conclude the interview.

With that, the floor is yours for making your opening remarks.

**Mr. Michael Shea:** Mr. Chair and members of the committee, I thank you for the opportunity to appear today to discuss my suitability as a potential member for the Hamilton Niagara Haldimand Brant Local Health Integration Network.

For the past few years, I have followed with interest news stories about the LHIN in the local media, most specifically the Hamilton Spectator.

Around February or March of this year, I logged on to the site of the local LHIN, the Hamilton Niagara Haldimand Brant LHIN, and learned of the vacancy on its board.

I'm an active volunteer with significant experience on committees and boards, especially in the not-for-profit and charity sector, but with very limited experience in regard to health care.

I'm finishing my final year on the board of directors for the Children's Aid Society of Hamilton as past president, and was looking at the LHIN as another opportunity to serve my community.

Because of my limited experience in health care, I wasn't sure if I would meet the criteria that that board was looking for, but I believe my experience in the public sector—almost 35 years in policing; my previous board and committee experience dealing with governance issues, operational planning and corporate finance; my experience in strategic planning; and my education and experience in regard to business—might be assets that would assist their board, so I did apply.

I was pleased when, several weeks later, I was given the opportunity to attend before their board and be interviewed for the board vacancy. I was impressed by the detail of questioning by the board, and in particular

the chair, Juanita Gledhill. Questioning dealt not as much with health care provisions but more in regard to other attributes that could assist the board, specifically my previous experience on boards and committees, my ability to deal with conflict and conflict resolution, my experience in the public consultation process and my understanding of process and change management.

It was shortly after my interview, which was July 8, that I read Ontario Ombudsman André Marin's review of the LHIN. Not having heard anything for a while from my interview, I actually thought that maybe while that review was being further discussed and assessed, there might be a delay in any further appointments. Then, a few weeks later, I did receive a phone call from a representative from the Standing Committee on Government Agencies, advising me that I was selected to appear here today.

Why do I want to be a member of the Hamilton Niagara Haldimand Brant LHIN? Because the concept seems to make sense to me.

One identified purpose of the LHIN is to identify opportunities to integrate the services of the local health system to provide appropriate, coordinated, effective and efficient services. That makes sense to me.

The first priority identified in the latest business plan of the Hamilton Niagara Haldimand Brant LHIN, the 2010-11 one, is to improve patient flow and ensure people get the right care in the right place at the right time. That makes sense to me.

Because of the decision-making power of the LHINs, there's a great opportunity to focus on local community needs and to improve service in health care for patients with the main roles being to plan, fund and integrate health care services locally. That seems to make sense: Make decisions at the local level, understanding that different communities may require different types and different levels of service.

The vision of the LHIN is a "health care system that helps keep people healthy, gets them good care when they are sick and will be there for our children and grandchildren." As a parent and grandparent, I can relate to that, and I like that vision. As a member of the community served by this LHIN, I want to make sure that we have a voice.

This LHIN covers approximately 7,000 square kilometres and has a population of about 1.4 million people, with more than 70% of them living in the Hamilton and Niagara area. With the exception of the Chair, there is no representative from Hamilton. I believe there are four from the Niagara region, one from Burlington, one from Ohswekan and one from St. George.

The LHIN is not only responsible to the Ministry of Health and Long-Term Care but to the health service providers and, ultimately, to all the people who are served by it. That's a huge responsibility. Although I want to ensure representation for my community, which is the Hamilton area, I also believe that I can provide meaningful input for decisions affecting the entire service area.



What do I think I bring to the table in regard to the appointment? A commitment to be fair and open-minded. I'm a firm believer in the three Es of business: efficiency, effectiveness and economy. I believe I have a good understanding of how these business practices apply in the public sector and in the not-for-profit world. I think there are opportunities to apply these same principles in the LHIN.

I take great pride in my profession as a public servant. I've served the Hamilton Police Service and my local community loyally, with dedication and commitment, for almost 35 years. I provide strong leadership, leading by example, setting high standards of performance and creating a work environment conducive of co-operation and motivation. I'm trustworthy and loyal and have a strong sense of pride in my work. I'm a firm believer in professionalism and providing quality service. What I lack in knowledge and experience in regard to health care and long-term-care provisions I believe I make up in enthusiasm and willingness to learn.

If you give me this opportunity, I believe I'll do a good job, and I promise I won't let you down.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for the presentation. I didn't say it before: We're starting questioning with the government. Mr. Brown.

**Mr. Michael A. Brown:** Thank you, Mr. Shea, for putting your name forward for this important appointment.

As you know, it's the government's view that decisions made locally about health care are far superior to those made at Queen's Park. LHINs have been working very hard through a kind of a shakedown period, I would call it, as any new board does, finding out how to conduct business. So I think your qualifications on other boards are very useful to us to provide the expertise. In some sense, having specific knowledge is not necessarily what you need; it's someone who understands the broader scope of how these boards work that is important.

I don't have any direct questions for you. I think you've outlined your background and your skill sets extremely well. I just want to indicate that the government will be concurring in your appointment.

**Mr. Michael Shea:** Thank you, sir.

**The Chair (Mr. Ernie Hardeman):** With that, we'll go to the official opposition. Ms. Savoline.

**Mrs. Joyce Savoline:** Good morning, Mr. Shea. Thank you for putting your name forward.

**Mr. Michael Shea:** Thank you.

**Mrs. Joyce Savoline:** Your resumé reads very well, and I thank you for all the work that you have done in your community and the kind of time that you've committed to that and also your expertise.

My questions are very specific to LHINs. Here's my first question to you. The Auditor General recently released a report, as well as the Ombudsman. In light of that report, Ontario hospitals and the Ministry of Health did not fare well. As part of that, I want to ask you if you would be supportive of providing full disclosure of contracts over \$10,000—that would apply to all public

bodies—and also full disclosure of hospitality and travel expenses for all public bodies, including LHINs.

**Mr. Michael Shea:** I don't know why I would not support that. It seems to make sense to me. Certainly, spending government money requires openness and transparency. It would seem to be reasonable. Not being a member, I don't know what the reason would be for not supporting that. In regard to open contracts, to get best value for taxpayer money—I certainly believe in that process. I'm bound by that in my current position with the Hamilton Police Service.

**Mrs. Joyce Savoline:** Okay. To follow on that, then: If you witnessed a contract being issued that was untendered, would you notify the appropriate officials about that? We've heard about the many adventures, let's say, that the HNHB has had lately, specifically a \$75,000 contract that was provided to a US health care consultant for an unidentified community engagement process. That clearly would have been one of those instances.

**Mr. Michael Shea:** Not being a member of the LHIN or knowing the reason behind it, I have a hard time giving an opinion on it—

**Mrs. Joyce Savoline:** In principle, would you object to that and take it to its fullest to complain about it?

**Mr. Michael Shea:** Yes. The answer would be yes.

**Mrs. Joyce Savoline:** There have been problems at eHealth and at Cancer Care Ontario and other agencies. There is a review outstanding for the LHINs that should have taken place by now so that we could have had a thumbnail sketch of how well they were doing—because they're infants, really—and what needs to be adjusted, how we move forward. Very rarely do we ever get anything right going out of the gate, so there needs to be that monitoring and review. For some reason, that review has been set aside. I believe it's extremely important, given the kind of things that we found out over the last six months or so. Would you be in favour and advocate for that review going forward so that we could set the record straight?

**Mr. Michael Shea:** I would. Actually, I believe the minister made a comment, one that sticks to my mind, about, "The only way that we can improve is by measuring." Measurement gives us the opportunity to improve. Having not been on the board, I don't know what the causes are that would prevent it from coming out. Like you said before, being in its infancy, obviously there are going to be growing pains. Perhaps that's part of the cause for the delay in a final report. But I don't know.

**Mrs. Joyce Savoline:** Would you stand apart from others and advocate for a review if you were found in that position?

**Mr. Michael Shea:** I think that my position will always be one of personal beliefs. If I thought that something was inappropriate, I would.

**Mrs. Joyce Savoline:** Thank you.

**The Chair (Mr. Ernie Hardeman):** That concludes your questioning. That concludes the interview.

We thank you very much for coming forward and enlightening us this morning about your appointment and



explaining your qualifications. I appreciate the fact that, for a government board such as this, the number one priority is your ability to do it, not what you know about the issue.

I thank you very much for putting your name forward and being willing to serve in that capacity. We do wish you well in your future endeavours.

**Mr. Michael Shea:** Thank you, sir.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning. With that, can we have a motion of concurrence or lack thereof?

We have a motion from Mike Brown to concur with the appointment of Michael Shea as a member of the Hamilton Niagara Haldimand Brant local health integration network. You've heard the motion. Discussion?

**Mrs. Joyce Savoline:** I would call for a recorded vote. May I make a comment about why I'm going to vote the way I am?

**The Chair (Mr. Ernie Hardeman):** I said, "Any discussion."

**Mrs. Joyce Savoline:** With all due respect to Mr. Shea, because I think he brings very strong credentials to the table, I think that perhaps his application, his membership on the board may have behooved that board to have had him there from the very beginning. But because the review has not taken place and we have absolutely no indication of when the review of the LHINs is going to take place, I think it's the wrong time to be filling positions and moving forward like everything is just okay-dokey. So for that reason, I will not be supporting

any additions to LHINs to fill vacancies until the review of LHINs has been done.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. I do want to go back to the motion to actually agree with the concurrence. If I could ask Mr. Brown to read that into the record.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Michael Shea as a member of the Hamilton Niagara Haldimand Brant local health integration network.

**The Chair (Mr. Ernie Hardeman):** Now you have heard the motion. We also heard the discussion, so with that, we'll put the question.

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Albanese, Brown, Cansfield, Lalonde, Rinaldi.

#### Nays

Savoline.

**The Chair (Mr. Ernie Hardeman):** I declare the motion carried.

That concludes our interviews and the concurrences this morning. The next item on the agenda is report writing on the agency of the Ontario Municipal Board, and we will go into closed session to have that discussion.

*The committee continued in closed session at 0924.*





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Mr. Michael A. Brown (Algoma–Manitoulin L)

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# Official Report of Debates (Hansard)

Tuesday 2 November 2010

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Mardi 2 novembre 2010

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 2 November 2010

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 2 novembre 2010

*The committee met at 0905 in committee room 1.*

## SUBCOMMITTEE REPORT

**The Chair (Mr. Ernie Hardeman):** Good morning, ladies and gentlemen. Thank you very much for coming to the November 2 meeting of the agencies, boards and commissions committee. The first order of business this morning is the report of the subcommittee of October 28. We need a motion to accept that subcommittee report.

**Mr. Michael A. Brown:** I so move, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** We have a motion to accept the subcommittee report of October 28. Further discussion? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MR. HOWARD WETSTON

Review of intended appointment, selected by third party: Mr. Howard Wetston, intended appointee as member and chair, Ontario Securities Commission.

**The Chair (Mr. Ernie Hardeman):** The second item on the list: We only have one interview this morning. It's the selection of the third party, Howard Wetston—interviewing him as a member and chair of the Ontario Securities Commission.

Mr. Wetston has already taken his seat at the head of the table. With that, we will provide you with an opportunity to make an opening statement if you wish, and we will then have questions from each party at 10 minutes per party, and at the conclusion of that, that will be the end of the interview.

We thank you very much for being here this morning, and we apologize for the slight lateness of starting the meeting.

**Mr. Michael A. Brown:** Chair, who will be starting?

**The Chair (Mr. Ernie Hardeman):** We'll start with the government side. We don't have the third party here at the present time; hopefully that would give them time to get here, as it was the third party that applied to interview—

0910

**Mr. Michael A. Brown:** If they're here, they'll start; is that it? If the third party is here, they'll begin?

**The Chair (Mr. Ernie Hardeman):** If they were here, they would start, but I don't want them to come in,

if they haven't heard the whole interview, and to be the first one to question.

So with that, we'll just move it there. That would give the third party an opportunity to get set in their chair before they start any questioning, with the consent of the committee.

Let's turn it back over to the delegation. Thank you very much for being here. The floor is yours.

**Mr. Howard Wetston:** Thank you very much, Mr. Chairman. I appreciate the invitation to be here. It's a pleasure to be before the committee this morning. I do have some opening remarks, sir, if I may.

I am honoured to be nominated as the next chair of the Ontario Securities Commission. I have served in the public interest for almost 30 years, including as a crown attorney, a consumer advocate, as the head of the Competition Bureau in Ottawa, as a federal court judge, as vice-chair of the Ontario Securities Commission and, for the last seven years, as chair of the Ontario Energy Board. It has been my honour to serve the people of Ontario and Canada.

Members of the committee, it is a critical time for securities regulation here in Canada and around the world. In the wake of the recent global market crisis, regulators are examining what we could have done better—in particular, how we could have better protected investors.

The financial crisis highlighted regulatory deficiencies that cannot be addressed at the provincial or even the national level. Securities regulators around the world, including the OSC, are contributing to the international response to these challenges.

The evolution of the capital markets also reinforces that now, more than ever, we must reform our system of regulation by supporting the implementation of a national securities regulator. I am committed to supporting the Ontario government, the Canadian Securities Transition Office and participating provincial regulators to make this important goal a reality. Given the size of Ontario's capital markets, Toronto should be prominent within a national regulatory structure, since Toronto is Canada's financial capital.

During the transition to a national regulator, I shall act in the best interests of the OSC and its staff, primarily because they offer excellent expertise. One of my goals would be to transfer that expertise to the national regulator.



Although the market context is changing, the OSC's overriding objective, derived from its statute and judicial confirmation, is to ensure that Ontario's capital markets are fair and efficient and that Ontario's investors are protected. The OSC must continue to be proactive in pursuing regulatory standards that discourage regulatory arbitrage, maintain market confidence, reduce financial crime and safeguard investors.

As a result of my ongoing observations of securities regulation, and if you concur with this intended appointment, I will be focusing on the following three priorities:

Number one, strengthening enforcement: The OSC's compliance and enforcement regime is vigorous and active, but it must be more visible and better understood by market participants and the public in order to have the desired deterrence effect. We must, where possible, streamline the process. I recognize that there will be challenges, but we must responsibly bring enforcement cases along faster. Capital and investment will flow to jurisdictions that have a high level of protection.

Number two, investor protection: Investor protection is central to the OSC's mandate. The interests of investors must be at the core of everything that we do, and we must err on the side of protecting investors. This will be even more critical during these transformational times, when investors have even greater concerns for protection. We also need input from investors. I am pleased that the OSC has created the investor advisory panel. The panel will give feedback on important regulatory initiatives.

My third priority is proactive rulemaking. We need regulatory responses that are risk oriented in order to restore confidence in the markets. Market quality is important, and investor confidence is crucial. We must get ahead of the curve and anticipate the risks that may threaten in the future. The OSC must help level the playing field between the investor and the market participant. We will continue to work with our provincial colleagues, self-regulatory organizations and international regulators to ensure that our regime remains consistent with global standards.

Members of the committee, in closing, I mentioned that I have a blend of regulatory, adjudicative and enforcement experience. I intend to apply that experience to the best of my ability in meeting the challenges that face securities regulation.

I wish to thank you today, and I would now be pleased to answer any of your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. Actually, we have to start with the official opposition if we don't start with the government, so we'll start with the official opposition. The original one was going to be starting there. I've moved it back so the third party would be the last.

**Ms. Lisa MacLeod:** Unanimous consent for the third party to start.

**Mr. Michael A. Brown:** Agreed.

**The Chair (Mr. Ernie Hardeman):** It's either the government or the opposition.

**Ms. Lisa MacLeod:** I just asked for unanimous consent to allow the third party to start.

**Mr. Michael A. Brown:** Agreed.

**The Chair (Mr. Ernie Hardeman):** No objection? Third party, Mr. Hampton.

**Mr. Howard Hampton:** Thank you very much.

I wanted to ask your views on a number of issues. In the United States, the Securities and Exchange Commission is moving to introduce a fiduciary duty across the board. In my understanding, they just passed that legislation a couple of months ago. Australia has already implemented it. My understanding is that the requirement would then be that anyone dealing with investments must actively be able to show that they have acted in the best interest of their clients at all times.

How do you feel about that direction, and how do you see it being implemented in Ontario and possibly in Canada?

**Mr. Howard Wetston:** Mr. Hampton, I think that's a really good question. As you might imagine, I've not been involved directly in securities regulation for the last seven years. I've kind of held a bit of a watching brief on this issue and watched what has been going on with the SEC. I believe that in order to make this issue of acting in the best interests of one's client viable, it needs to become a statutory duty, as opposed to a lesser duty that is not statutory.

I think there's a lot of discussion on this issue today in Canada. A considerable amount of work has been done on this by some organizations, and I think the best way for me to describe this is that I think it's an important issue and I think it's one that the OSC has to give a lot of consideration to.

The best thing I can say about it is that I think becoming a statutory duty obviously raises the bar considerably and it might be one of those matters that does level the playing field between investors and market participants. Without being able to commit to whether or not that could become a statutory duty—obviously, that would be up to the government—I would say that it's a matter that needs to be looked at, and looked at seriously. I think it's an important issue. I believe in the US the fiduciary duty is legislated—or it's certainly made effective in rules—at the SEC, but I'm not sure how they've incorporated it.

**Mr. Howard Hampton:** As one person put it to me, in the euphoria of the boom, the investment industry forgot that there are many practices in the financial business world which are legal but which are also totally and completely unethical. As one person said to me, in their perspective that was the root of the problem. People simply said, "Well, if it's legal, do it. Don't ask the question if it is unethical."

**Mr. Howard Wetston:** Well, you know what they do in those situations, Mr. Hampton. Having practised law yourself, you understand very well what happens. You have these accidents and then they bring the lawyers in to kind of clean up the mess; they're like medics, so to speak. That's kind of what's occurred there, I believe.



The question for me would be—if you're thinking of the US situation versus what's occurred in Canada; if you're thinking about what happened in the US with respect to the market crisis that occurred there, I don't think there's any question about the fact that there were a lot of questions asked about whether or not, indeed, the practices were legal or whether or not, basically, what occurred was a lot of risk taking, which may have been legal but, as you say, unethical. I can't really say whether the practices were unethical or not, but I will say this: I think when you expose investors to such risk, as occurred in the United States, in the name of, for example, enhanced liquidity, where fairness and transparency suffer in the face of those market risks—the best thing I could say about that is that we need to continue to look at these kinds of issues and, as I said in my opening remarks, we need to level the playing field. If it's a matter of ethics—ethics are important. I think those concepts come out when you talk about concepts like “know your client” rules and other such things.

0920

So I think that the point you're making is very well taken, and I believe that simply saying it's legal might create, as I say, this uneven playing field between investor and marketplace. It's something we need to look at carefully.

**Mr. Howard Hampton:** Given that we seem to be in a state of flux in Canada—the federal government wants a national approach, but due to our historical and constitutional precedents, we have a provincial approach. In that context, what do you see as the role of the OSC?

**Mr. Howard Wetston:** I think the government has committed to participation in a Canadian securities regulatory authority. I believe that the OSC's commitment to that, in supporting the government's policy initiative in this area, is to ensure that we provide a great deal of support to the creation of that national commission. That would mean providing the expertise that we have, resources where necessary, but not resources to the extent that we reduce the importance of the oversight of capital markets by the Ontario Securities Commission during this transition period. There's an important balance that needs to be maintained there.

I think the role is necessarily to provide that expertise—we have a great deal of it at the securities commission in many areas—and to obviously assist in the regulation-making function that the transition office will be undertaking over the next couple of years. I believe that in supporting that work, as I say, we need to ensure that the Canadian Securities Transition Office and the support that it gets from the OSC ensures that this new entity is of the highest quality as a national regulator. So I believe that the OSC can contribute to ensure that the standards that are maintained by this national commission are no less than the high standards that the OSC has today in its oversight of the capital markets.

**Mr. Howard Hampton:** I want to ask you a bit about the OSC today. Should it be simply a referee that reviews

disclosure or should it be an investor advocate or guardian of investors? Because they're very different roles.

**Mr. Howard Wetston:** Yes, it's a very different role. I think there's a very fine line between both. What I'm advocating, as I indicated in my opening comments, is that we need to put the investor at the centre of the work of the OSC. Investors expect more protection, and we need to do our best to ensure that that occurs. It's not simply a matter of reviewing disclosure in the way you described; I think we need to elevate the importance of investor protection at the OSC going forward.

**Mr. Howard Hampton:** How should we do that?

**Mr. Howard Wetston:** It's more than just education. We're starting with the investor advisory panel, which has just been formed. We will take their advice. I've looked at the roster; I've looked at the panel members. I think it's an excellent group. They've just had one meeting. I've looked at the minutes of this meeting. I think that it'll take some time for it to get going, but I think they'll make a valuable contribution to the work we're doing at the commission.

As I indicated in my opening remarks, everything that we do has to be risk-oriented. We have to look to see where the risks are for investors. We have to try and get ahead of the curve and try and enable ourselves to meet these challenges more quickly.

Mr. Hampton, one of the issues with the fragmented system we have, as you very well know, is that it takes a long time to do national instruments because we have to do it across Canada with regulators across the country. My belief is, if we have a national commission, even if we have a Canadian securities regulatory authority made up of seven provinces and not all 10 at this point, we will be able to get to rule-making more quickly and, along that line, be able to protect investors more thoroughly in the less fragmented context.

So I truly believe that we need to keep that focus in summary, keep the investor at the heart of the work we do, look at the risks and ensure that we try and get them early on and move towards a national commission, which will help get speedier results from the point of view of the actions that the commission needs to take, both in enforcement and in rule-making.

**The Chair (Mr. Ernie Hardeman):** Very, very quickly, Mr. Hampton. You have one minute left.

**Mr. Howard Hampton:** Putting the investor at the heart of what you do, some have suggested that what needs to happen is the appointment of part-time commissioners who can bring more of a retail investor perspective. What do you think of that idea?

**Mr. Howard Wetston:** I think that you get the best person that you can on the commission, and I think the most qualified people are the people—depending on the qualifications you need at any point in time—for the commission. The creation of the investor advisory panel is a very good start. As I understand it, they're going to include that in the national legislation as well, which, as you know, is before the Supreme Court as well as before



two courts of appeal in two other provinces. So I do think that it's important to look at it.

There are members of the commission now who do have a retail investor background, and I suppose most of them are also retail investors. But, having said that, I think it's important to look for the person who has the most qualifications at any moment in time, depending on the needs that are required at the commission, and of course, you should look at individuals who have that background. If they're the right people with the right competencies, then I think the commission should look at them and the government should look at them.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That concludes the 10 minutes there. We'll now go to the government side. Ms. Cansfield?

**Mrs. Donna H. Cansfield:** I actually don't want to ask you a question; I would like to make a statement. I think the government has been well served by you in the past for all of the initiatives you've undertaken, particularly in the last number of years, at the OEB. We are indeed most fortunate as we go forward, looking at a national strategy, to have someone with your expertise and extraordinary experience to bring to the table in order to make this policy a reality on behalf of the government.

So I just want to thank you for putting your name forward and to say that certainly I'm well pleased with, as most people will be, hopefully, your appointment in the very near future.

**The Chair (Mr. Ernie Hardeman):** We'll now go to the official opposition—oh, we have more from the government side.

**Mrs. M. Aileen Carroll:** I'd reiterate my colleague's comments, but I'm also delighted to hear your strong commitment to a national securities commission. I'm serving my first term at the provincial level, but I came here totally convinced of the need, for a very long time, when I served at the federal level, for a national securities commission. I think what you've suggested, that we should move forward possibly with the consent of seven provinces, may be the way we have to go. Obviously, I reflect the views of this government in their very strong support for a national securities commission, so I'm delighted that, in addition to everything else you bring to the table, you also bring that perspective. Thank you.

**Mr. Howard Wetston:** Thank you very much, Mrs. Carroll.

**The Chair (Mr. Ernie Hardeman):** We have a further comment. Mr. Brown.

**Mr. Michael A. Brown:** We're not being too difficult with the questions at the moment, but one of the things that I think has occurred to both small and large investors, especially in these times, when we saw what many people would believe is the cause of the recent economic difficulties, which were worldwide and clearly not an Ontario-driven or Canada-driven situation—and many would say that we probably had the best regulation in the world at the time.

I just wonder about your view in this position: how you see us interacting on the world stage, seeing as I

think we have a fairly good reputation at the moment, and where you, as the chair of the OSC, would see the Canadian regulator—if that comes to pass—going and playing a larger role in world affairs.

**Mr. Howard Wetston:** Mr. Brown, I think that's a really good question. When I was at the Ontario Securities Commission between 1999 and 2003, when I left the federal bench, I immediately got immersed in international issues with IOSCO, the International Organization of Securities Commissions. At that time, the OSC played a very significant role in IOSCO, actually heading up one of the most important committees of IOSCO for a number of years—I think for a two-year period—in which a lot of heavy lifting is done in the development of international standards in securities regulation. I think the OSC became very well known at that time in IOSCO.

**0930**

We also did a lot of work in another organization, North America/South America, to bring a common view of the standards that are necessary to regulate the capital markets, because the capital markets are global. The numbers in Canada go from 2% to 3% with respect to our representation of national markets. Toronto itself is the third-largest capital market in North America, behind New York and Chicago. It's not well known to people, but this is a centre for the capital markets and it's well known internationally.

If I just give you this thought: Right now, the OSC is continuing to be very active in IOSCO. Previous chair David Wilson, who I think has done a really, really good job at IOSCO, is the co-chair of a very important committee on systemic risk; the very first time, I think, that securities regulators worldwide are actually engaged in issues of systemic risk, which they really weren't, at a considerable level, prior to these incidents which occurred several years ago. I think he's the co-chair of a very important committee of IOSCO. I will correct that if I'm incorrect, but I believe that to be the case. I certainly know that's not the only committee that the OSC participates in internationally at IOSCO.

We have a role. We'll continue to have a role. As I indicated in my opening remarks, international standards are really important, because capital will flow to Canada if our markets are safe and people have confidence in them. I think being part of the international scene does assist that a great deal.

Thank you for your question.

**Mr. Michael A. Brown:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. We will now go to the official opposition. Ms. MacLeod?

**Ms. Lisa MacLeod:** Welcome to committee, and congratulations on your appointment.

**Mr. Howard Wetston:** Thank you, Ms. MacLeod.

**Ms. Lisa MacLeod:** I only have a couple of brief questions for you, as they pertain to a national securities regulator. You're probably aware that our party has been calling for that and has supported that initiative for some time. I guess specifically, I have a quick question on



what Ontario could be doing to further advance a national securities regulator in the current context.

**Mr. Howard Wetston:** I think one of my challenges—and I think it's not only my challenge, but will be the government of Ontario's. I've committed to supporting the government as much as I can in working with my federal colleagues, as well as provincial colleagues, in ensuring that, at this stage, we at least—and it's not a matter of whether or not it's not as good a solution as having the entire country committed to a national regulator. As you know, Ms. MacLeod, we don't have—Quebec has challenged it in the courts. Alberta's challenging it in the courts. Manitoba's not involved yet.

I think that my goal will be to work within the CSA and with our colleagues in the CSA. My goal will be to work with our self-regulatory organization. My goal will be to work with the federal government. We do have a committee, which is made up of the Bank of Canada, the federal Ministry of Finance and the federal superintendent of the banks as well. We meet fairly regularly to discuss these kinds of issues, particularly around systemic risk, but also the topic, I'm sure, of the national securities commission.

My commitment, and I think the commitment that we have, is to do whatever we can to ensure that we maintain that momentum, and I think the momentum is there.

We're waiting, as you know, for the Supreme Court of Canada decision, which will probably come out in the spring. That will be a very important decision that will set the framework and the groundwork that we need to go forward.

**Ms. Lisa MacLeod:** Perhaps when those court challenges are complete, and in the case that Alberta and Quebec are encouraged to throw their support behind a common regulator, how do you see your role play out in this, and Ontario's role? Obviously, we are the financial centre of the country. How do you see Ontario proceeding?

**Mr. Howard Wetston:** I think in my opening remarks I said that Ontario and Toronto must and should have a prominent role in any national securities regulator.

I think if I understand your question, my hope would be that at some stage—I think the opportunity for Alberta and Quebec—should we have support for a national regulator under the general trade and commerce power; should this legislation be passed under that power; should that occur, there will be opt-in provisions available for Alberta and Quebec and Manitoba, if they're not part of it, to be able to join this national commission.

The point I think I'm suggesting here is that, given the structure that's been presented and represented by the Canadian Securities Transition Office—if you look at that structure, you'll see a board, a chair, a chief regulator and a chief adjudicator. In my view, if you look at that structure, Toronto has to have a prominent role in that structure.

We have 350,000 jobs in the financial services sector in Ontario. The financial services industry is the second-largest, behind manufacturing, in Ontario. There are, for

example, 1,600 registered firms in Canada; 1,400 are registered to do business in Ontario. There are over 122,000 registered persons to trade and give advice in securities matters, of which I believe 65% are in Ontario.

So my point on all this is that when you think about Toronto and Ontario, it must have a prominent role in this national organization.

*Interjection.*

**Mr. Howard Wetston:** Just my last comment—I'm sorry to be so long-winded about this. The expert resources of the OSC will be transferred to that organization, because we have the expertise, we have the quality and we have the experience. I think, frankly, that's a commitment from the transition office as well as the federal government.

**Ms. Lisa MacLeod:** I appreciate that. I just have one final question, and then I think we can get on with the business of letting you get your feet wet in this new job.

Obviously, you've pointed out three key priorities for you, which were strengthening enforcement, investor protection and proactive rule-making, and I appreciate that. But particularly in these tougher economic times, and in relation to the rest of the world, as my colleague Mike Brown pointed out, Canada's banking system remained relatively strong. What can you do in your role—to maybe add perhaps a fourth priority—on promoting the brand of Ontario to encourage investors around the world to invest in a safe market and a safe place to put their money? I don't think we've done enough of that, and I think there's a golden opportunity for us in Ontario, as well as for you as the new OSC chair, to start that branding exercise.

**Mr. Howard Wetston:** I really take your point, and I think it's a very important point. My brief comment on that would be that the best way for Canada to represent itself internationally is to have a market that's safe, that people have confidence in, and that they feel protected in when they invest in this market.

I agree with you to this extent: that while I don't see the chair of the OSC as a marketer in that sense, I see an important role is to be able to communicate with our international colleagues, to be present internationally, and to be able to demonstrate internationally the work we are doing to be protective of the capital markets. I think that's another way of saying that I agree with you, and I think that presence is really important.

**Ms. Lisa MacLeod:** Okay. Thanks very much.

**Mr. Howard Wetston:** Thank you for your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for coming in this morning. That does conclude the interview. Again, we wish you all the best. We will deal with the committee's concurrence, or lack thereof, following the interview. We want to thank you for coming in and we want to wish you all the best in your future endeavours.

**Mr. Howard Wetston:** Thank you, Mr. Chair, and I'll be waiting for that op-ed piece that I spoke to you about.

**The Chair (Mr. Ernie Hardeman):** Thank you.

**Mr. Howard Wetston:** Thank you so much.



**The Chair (Mr. Ernie Hardeman):** That concludes the interview this morning, so we will now proceed with the concurrences. We considered the appointment of Howard Wetston as a member and chair of the Ontario Securities Commission. Can we have a motion to deal with it?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Howard Wetston as chair, member and CEO of the Ontario Securities Commission.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Mr. Michael A. Brown:** A recorded vote, please.

**The Chair (Mr. Ernie Hardeman):** A recorded vote's been requested. No further discussion? All those in favour?

**Ayes**

Albanese, Brown, Cansfield, Carroll, MacLeod, Pendergast.

**The Chair (Mr. Ernie Hardeman):** All those opposed? The motion's carried.

That concludes that part of the meeting this morning. We will now go into closed session to continue our deliberations on the report on the Ontario Municipal Board.

*The committee continued in closed session at 0935.*











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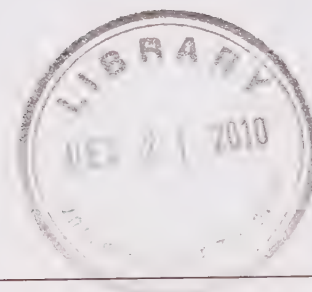
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## Legislative Assembly of Ontario

Second Session, 39<sup>th</sup> Parliament

## Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 7 December 2010

# Journal des débats (Hansard)

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## Standing Committee on Government Agencies

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 7 December 2010

*The committee met at 0904 in committee room 1.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr. Ernie Hardeman):** Thank you all for being here this morning. You will notice from the agenda that we don't have a long agenda this morning. We have completed the review of all the agencies that have been interviewed at this point, so we have no further reports to deal with at this time. But we do have three subcommittee reports for the committee to consider.

If we could have a motion on the report of the subcommittee on committee business dated Thursday, November 25, 2010.

**Mr. Michael A. Brown:** Chair, I so move.

**The Chair (Mr. Ernie Hardeman):** We have the motion. You've heard the motion. All those in favour? Opposed? The motion is carried.

The second one is the report of the subcommittee on committee business dated Thursday, December 2, 2010. A motion to accept the report? Mr. Brown?

**Mr. Michael A. Brown:** I so move, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? If not, all those in favour? Opposed? The motion is carried.

The third one is a report of the subcommittee on committee business dated Friday, December 3, 2010.

**Ms. Lisa MacLeod:** I'll move that, Chair.

**The Chair (Mr. Ernie Hardeman):** Okay. Ms. MacLeod?

**Ms. Lisa MacLeod:** Your subcommittee on committee business met on Friday, December 3, 2010, to consider the method of proceeding on agency reviews, and recommends the following:

(1) That the committee conduct agency reviews during the winter recess, and that the Chair be directed to seek authorization by the House of committee meeting time during the recess.

(2) That the agencies to be reviewed be as follows:

- Selection of the official opposition: College of Trades Appointments Council;
- Selection of the third party: Ontario Energy Board;
- Selection of the government caucus: to be confirmed.

(3) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the adoption of the report of the subcommittee, to commence making any

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Mardi 7 décembre 2010

preliminary arrangements to facilitate the committee's proceedings.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion?

**Ms. Lisa MacLeod:** This is a long-standing practice of this committee to have agency reviews by the committee, with the selection of one agency per party to review during either the summer intersession or the winter intersession. It is our view that this would be appropriate, given that this has been the practice all along. The official opposition has chosen the College of Trades Appointments Council, and we look forward to bringing them in for review.

**The Chair (Mr. Ernie Hardeman):** Thank you. Further discussion? If not, all those in favour?

**Ms. Lisa MacLeod:** Recorded vote.

**The Chair (Mr. Ernie Hardeman):** A recorded vote has been requested. All those in favour?

**Interjection:** It's too late.

**Mr. Michael A. Brown:** You asked for the vote. You've got to use the same rules for everybody.

**The Chair (Mr. Ernie Hardeman):** To the government members: I don't think I've ever refused or not accepted a request for a recorded vote before the vote was taken.

## Ayes

MacLeod.

## Nays

Albanese, Brown, Cansfield, Carroll, Naqvi.

**The Chair (Mr. Ernie Hardeman):** The motion is lost.

**Mr. Michael A. Brown:** Mr. Chair, I move adjournment of the committee.

**The Chair (Mr. Ernie Hardeman):** Motion to adjourn.

**Ms. Lisa MacLeod:** I just had another motion. What's the process here? Because I wanted to put forward a motion in—

**The Chair (Mr. Ernie Hardeman):** No, there's no debate on an adjournment motion.

Motion to adjourn: All those in favour?

**Ms. Lisa MacLeod:** Recorded vote, please.

**Mrs. Donna H. Cansfield:** Too late again.



**Ms. Lisa MacLeod:** Mr. Chair, I just would request a recorded vote, given that I was going to put forward a motion to bring in the Niagara Parks Commission.

*Interjection.*

**The Chair (Mr. Ernie Hardeman):** All those opposed? The motion is carried.

Committee stands adjourned.

*The committee adjourned at 0908.*











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Second Session, 39<sup>th</sup> Parliament

# Assemblée législative de l'Ontario

Deuxième session, 39<sup>e</sup> législature



## Official Report of Debates (Hansard)

Tuesday 29 March 2011

## Journal des débats (Hansard)

Mardi 29 mars 2011

### Standing Committee on Government Agencies

Intended appointments

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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 29 March 2011

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 29 mars 2011

*The committee met at 0904 in committee room 1.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr. Ernie Hardeman):** Good morning, everyone. We thank you all for being here for the Standing Committee on Government Agencies on March 29.

The first issue this morning is to deal with a number of subcommittee reports from December 16, December 23, December 27, February 3, February 17, February 24, March 10 and March 17. Those are all subcommittee reports that have been dealt with or that have been done since our last meeting. We would ask for a motion to deal, first of all, with December 16, if we could.

**Mr. Michael A. Brown:** I would be pleased to move the subcommittee reports from December 16 through to March 17.

**The Chair (Mr. Ernie Hardeman):** Okay. We have a motion to approve all the subcommittee reports that I just listed: December 16, 23, 27; February 3, 17, 24; and March 10 and March 17. Any discussion on any of the subcommittee reports? If not, all those in favour? Opposed? The motion's carried.

## INTENDED APPOINTMENTS

**The Chair (Mr. Ernie Hardeman):** The second item is the review of appointments. I think we had received notices as a meeting that we were going to have to do some interviews this morning. The choice of the people to be interviewed was made by the member from the third party, Mr. Hampton, who asked under standing order 108(f)6—the subcommittee member from the third party requested a deferral of the committee's consideration. Of course, it's automatically given that the deferral will be granted. Any member who asks for the interview can ask for that interview to be deferred. We'll just accept that.

The challenge that we face is that the first person to be interviewed, Rosemarie Leclair, was in fact picked from a certificate of March 4. The next day that our committee meets is April 5, and the certificate runs out on April 3. It would be two days short of the time frame, so we need consideration to extend the time on that one.

The other two, Pat Capponi and Susan Lee, were picked from a certificate on March 11, both at the same time. They would run out on April 10, which would be

sufficient time on April 5 when we meet, but they both have suggested that they couldn't be here on April 5. They would want to be a week further, so we would also need an extension of the time on those two.

With that, it's open for discussion under the standing orders. There is unanimous agreement on the issue, not necessarily unanimous consent.

**Mr. Michael A. Brown:** I just want some clarification. We have two different timelines here, one for Ms. Leclair and one for the other two appointments. If we do not extend the time limit for Ms. Leclair, what happens? Because if I look at section (c) of the standing order, it says, "The intended appointee has not been selected for review by the subcommittee within 14 days following the day on which the minister tabled the certificate." In my view, you could interpret this to mean that Mr. Hampton had 14 days to defer hers. After the 14 days, he didn't really.

We're amenable to having this happen—I'm not saying we're not. I'm just trying to understand how this all works.

**The Chair (Mr. Ernie Hardeman):** I think that standing order was achieved. I think he met the 14 days when he selected the person to be interviewed. He doesn't have the opportunity to have it deferred, for the actual hearing to be deferred, until the time is set for that meeting. They were unable to achieve that day so then they asked for a deferral—to be moved to a different day when he can be present. But the 14 days, in my opinion, relates to the time between when the minister tables the certificate and the time that all parties agree to which ones they will select for interview.

**Mr. Michael A. Brown:** So a deferral, then, which would take any intended appointee beyond the 30 days, doesn't automatically appoint them?

**The Chair (Mr. Ernie Hardeman):** No—what's that?

**Mr. Michael A. Brown:** If we do not deal with an intended appointee after they've been named within a certain period of time—

**Mrs. Donna H. Cansfield:** Are they deemed to be—

**Mr. Michael A. Brown:** —are they deemed to be appointed?

**The Chair (Mr. Ernie Hardeman):** The person selecting it has no ability to lengthen the time of when it will be deemed to have been made.



**Mr. Michael A. Brown:** But it's not that person we're talking about, though. It's the committee.

**The Chair (Mr. Ernie Hardeman):** No, but the committee has to decide to extend the time. If we don't extend the time on the first one, the time will be gone before our next meeting, and they will be deemed to have been appointed without an interview. And if we don't extend the time for the other two, that won't happen until after the next meeting. But we've already been notified that, in fact, they can't be here for the 5th. In essence, it would be same problem, so the suggestion—I would ask you to consider just extending all three, so we can have them all together at a future meeting.

**Mrs. Donna H. Cansfield:** May I ask a question? Who can't come on the 5th?

**The Chair (Mr. Ernie Hardeman):** Pat Capponi and Susan Lee.

**Mrs. Donna H. Cansfield:** So why can't we do the one on the 5th and the two the following week?

**The Chair (Mr. Ernie Hardeman):** We can very well do that, so that would make it—

*Interjection.*

**The Chair (Mr. Ernie Hardeman):** We're quite prepared to do that. The only reason I suggested we do them all at the same time is that we can do three in one meeting and we would have them all done at the same time, but we can do that one, because obviously it expires before the 5th. We still need the extension, but we could do that one next Tuesday.

**Mrs. Donna H. Cansfield:** So we could extend Ms. Leclair and then we can do it on the 5th?

**Mr. Michael A. Brown:** Mr. Chair, I'd ask for unanimous consent for Ms. Leclair to be heard on the 5th—is that the right date? April 5?

**The Chair (Mr. Ernie Hardeman):** The 5th is the one—

**Mr. Michael A. Brown:** And Ms. Capponi and Ms. Lee to be heard on the 11th?

**The Chair (Mr. Ernie Hardeman):** I think there's an understanding through the clerk and all of us here that the intent is to try as hard as we can to get her here on the 5th, but if she can't come on the 5th, the extension would only—the unanimous consent on the extension would run out on the 5th, because we said that was the date. So I would suggest that if she can't make it—we'll try to get her, but if she can't make it—we do all three on the 11th.

**Mr. Michael A. Brown:** On the condition she doesn't come, yes.

**M<sup>me</sup> France Gélinas:** Tuesday's the 12th, not the 11th.

**Mr. Michael A. Brown:** Tuesday's the 12th.

**The Chair (Mr. Ernie Hardeman):** Oh, the 12th, not the 11th. Is that what you were saying too?

**M<sup>me</sup> France Gélinas:** Yes.

**The Chair (Mr. Ernie Hardeman):** Very good. So we have the unanimous consent, then, for the extension?

**Mr. Michael A. Brown:** Yes.

**The Chair (Mr. Ernie Hardeman):** Okay.

**Mr. Michael A. Brown:** Ms. Leclair on the 5th, though.

**The Chair (Mr. Ernie Hardeman):** We'll try to get her on the 5th. We won't try for another unanimous consent to go for the 12th if she can't make it, but we will ask to do everything we can to make it on the 5th, to get it done as close to the deadline as we can get it.

Okay. Anything further? If not, we thank you all very much for taking the time out of this busy day to be here this morning, and we look forward to seeing you on the morning of the 12th.

*The committee adjourned at 0914.*











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Deuxième session, 39<sup>e</sup> législature



**Official Report  
of Debates  
(Hansard)**

Tuesday 5 April 2011

**Journal  
des débats  
(Hansard)**

Mardi 5 avril 2011

**Standing Committee on  
Government Agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

Chair: Ernie Hardeman  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIES

Tuesday 5 April 2011

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Mardi 5 avril 2011

*The committee met at 0904 in committee room 1.*

**The Chair (Mr. Ernie Hardeman):** Good morning. I'd like to call the Standing Committee on Government Agencies to order for the meeting of April 5. We thank you all for being here this morning. This morning's meeting is to review selections. We have two interviews this morning.

## INTENDED APPOINTMENTS

## MS. ROSEMARIE LECLAIR

Review of intended appointment, selected by third party: Ms. Rosemarie Leclair, intended appointee as member and chair, Ontario Energy Board.

**The Chair (Mr. Ernie Hardeman):** The first interview is Rosemarie Leclair, an intended appointee as a member and chair of the Ontario Energy Board. Rosemarie, if you're present, if you would take a seat at the table.

We thank you, first of all, for putting your name forward and coming to this committee for the interview.

As is the normal practice, we will allow you a few moments for some opening remarks, and then we will have questions from the three parties. Hopefully, by the time we get to that point, we will start the questions with the third party; if not, we will move to the government for the first round. We thank you again for coming in. The floor is yours.

**Ms. Rosemarie Leclair:** Thank you, Mr. Chair, and members of the standing committee. Let me start by thanking you for providing me the opportunity this morning to discuss my intended appointment as the chair of the Ontario Energy Board. I must say I am truly honoured and very excited to have been nominated to undertake this very important role at such a transformational time in the energy sector.

For me, this nomination is the culmination of a career in public service. It's an opportunity to go from serving the residents of my community in Ottawa to serving the people of Ontario.

As you can see from my application, which I believe has been provided to you, I have had a diverse career, primarily in the public sector and primarily in the city of Ottawa. It has been a 30-year journey of educational and professional development, and it's one that I believe has positioned me well to undertake this new assignment.

My commitment to public service dates back to the very beginning of my professional development, starting with an undergraduate degree in public administration, followed by the completion of a common law degree from the University of Ottawa. As a student of public administration, I learned the importance of good public policy. As a student of law, I learned the importance of good process, objectivity and reflection in sound decision-making. Over my career, I have had the opportunity of applying, refining and adding to these skills.

Working with the city of Ottawa, I've had the opportunity to oversee various portfolios: from my articling student days back in 1983, to the commissioner of corporate services with the old city of Ottawa, pre-amalgamation in 1994, to deputy city manager of public works and services in the year 2000.

In carrying out my responsibilities, I have learned that serving the public and the public interest is, to say the least, a complex undertaking of balancing competing priorities and interests of a multitude of stakeholders.

During my term with public works and services, the department was responsible for most of the basic hard services needed to run a city: from drinking water treatment to waste water collection and treatment to solid waste disposal; public transit; traffic management; maintenance; and construction. In fact, when I was at the department, I used to say that if you could look out your window and complain about a service, it was probably in our department. I say that jokingly, of course, because what it underscores for me was the most important aspect of the position: ensuring the seamless delivery of the most basic services that residents rely on each and every day to go about their daily routines, services that are largely taken for granted because they have become so entrenched.

When leading a department like public works, the importance and the primacy of the public interest is absolutely always at the forefront. Balancing the needs of a growing city, the investment needed to sustain an aging infrastructure, and affordability of ratepayers and taxpayers are real and constant challenges.

In 2005, I had the privilege of accepting a new role in the city of Ottawa, that of CEO of the Hydro Ottawa group of companies, a position I still hold today and will be resigning from, subject, of course, to this committee's decision on the nomination before you.



Hydro Ottawa owns and operates the third-largest municipally owned electricity distribution company in the province of Ontario, serving some 300,000 customers. Hydro Ottawa also owns and operates a small renewable generation energy services company.

During my term with Hydro Ottawa, I've become knowledgeable with the operational aspects of both distribution and generation, as well as the customer-facing issues. I understand the importance of meeting the customer's expectations for affordability and reliability.

I also have a good grasp of the challenges facing the energy sector in trying to meet those expectations: new infrastructure which is needed to meet the growing demand, the need to invest in refurbishing aging infrastructure and to renew an aging workforce.

0910

The challenges facing the energy sector are real, but they are not new or unique to this sector. The legislative mandate of the Ontario Energy Board is to ensure a reliable, affordable, financially viable and sustainable energy sector for Ontario residents. That will mean balancing objectives and relevant interests in a manner that respects the mandate and the legislation and relies on the technical expertise of the OEB. It will mean relying on a transparent process and principled conclusions.

I believe that my background in law combined with my long service and experience working in the public sector and the electricity sector, working at the level closest to the consumer, has provided me with the skills needed to head the OEB through this next period.

I thank you for the opportunity of making this open statement, and I look forward to your questions.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We will start the questions with the government side. Mr. Brown.

**Mr. Michael A. Brown:** Thank you for coming before us today. One of the great challenges in Ontario is renewing our energy and especially electricity infrastructure. You've had some large experience with the distribution system in Ottawa. Could you outline to the committee the kinds of issues, which I suspect relate to the whole province in some way, that Ottawa is having with renewing an infrastructure that may be getting to the end of its useful lifetime?

**Ms. Rosemarie Leclair:** Thank you for the question. Absolutely, aging infrastructure is one of the most significant challenges for distribution utilities, particularly when you look at utilities where most of the infrastructure was put in in the boom of the 1950s. Now, that infrastructure is close to 40, 50, 60 years old and needs to be fully refurbished. At the same time, communities have unprecedented growth, new customers. Hydro Ottawa increases its customer base by 4,500 customers every single year, and they need to be serviced. So the capital program needed to sustain that infrastructure is significant and is presenting challenges. Every year, it's a balancing act of trying to determine the priorities, where the assets are needed most, where the investments are needed most.

As I said, customers have come to expect that not only is it about affordability, but it is about reliability. Certainly, Ottawa has some of the best reliability anywhere in the province, with 99.998% reliability. But when we do have pockets of growth, there are parts of the system that are under strain, and we've had to invest significantly. Our capital program in our city alone is close to \$66 million, just in our sustainment budget for our distribution assets.

**Mr. Michael A. Brown:** Like some of my friends here on this side and on the other side, I represent a riding that has a large number of rural consumers. One of the issues I face—and, I suspect, others—is the issue surrounding energy retailers. I say that because one third of our constituency calls relate to retailers. We have just passed, as a government, new legislation here to deal with them, but they continue to be a very difficult problem for us.

Are you familiar—you must be, as a distributor—with the activities of this particular group, and do you think—well, it's unfair for you to prejudge, but just give me your opinion.

**Ms. Rosemarie Leclair:** I'm extremely familiar with the issue of retailer practices in our community. It is one of the main sources of calls that we have, as well.

I'm very supportive of the direction that the government has taken in terms of introducing legislation. I understand that the Ontario Energy Board is looking at putting in the rules and the codes to give effect to that legislation with retailers as well. It's very much needed in terms of protecting the consumer interests and making sure that they make informed decisions.

**Mr. Michael A. Brown:** Being on the front lines as you've been, is it possible to buy a contract from a retailer and actually save money?

**Ms. Rosemarie Leclair:** I haven't seen it. It's an insurance policy against rising rates, and right now it's an expensive insurance policy.

**The Chair (Mr. Ernie Hardeman):** Thank you. That concludes the time. Mr. Wilson?

**Mr. Jim Wilson:** Thanks, Ms. Leclair, for coming forward and putting your name forward. You're certainly well qualified. You're better qualified than I was when I was energy minister and allowed these electrical distribution companies to be set up.

**Ms. Rosemarie Leclair:** That sounded like regret.

**Mr. Jim Wilson:** I'm glad it has all somewhat worked out.

All kidding aside, you're going from being head of an electrical distribution company to being the top regulator of those companies. Do you see any problems in adjustment or ways of thinking?

**Ms. Rosemarie Leclair:** Certainly, there's always an adjustment when you change positions and change focus. You asked if I see any problems. I certainly don't see any problems in terms of the relationships. I understand all of the conflict rules and certainly will be abiding by those.

It will be a different focus. There are different stakeholders and broader interests than just the interests that



you have when you're running a distribution company, but there will be a lot of similar interests. The distribution companies have always fought to maintain that relationship with the actual customer. A big part of the role of the OEB is to ensure as well that we're cognizant of the consumer and the impacts of business decisions on the consumer.

I think there are a lot of synergies and a lot of similarities, but there certainly is a different role, a different perspective and a broader interest that will be applied at the OEB. I don't foresee any difficulty in making that transition. If you look at my CV, I've made transition to a number of different portfolios in a number of different areas over the years.

**Mr. Jim Wilson:** You mentioned the consumer, and I'm glad you did. There's a perception around here, rightly or wrongly, that consumers have been left behind in some of the decisions of the OEB. Obviously, the high cost of electricity is the number one pocketbook issue that we hear about in the ridings. Any thoughts about enhancing consumer advocacy or consumer protection at the board?

**Ms. Rosemarie Leclair:** As I said in my opening remarks, there are a number of challenges, and the mandate of the OEB is broad when it comes to consumers. It's about affordability, but it's also about long-term sustainability and a viable supply of electricity and reliability. That's very much a balancing act that has to be taken into account.

Certainly, I think as we move forward, electricity and energy is no longer that invisible product that we take for granted. It's very much in the forefront. I think there is an importance of continuing to educate consumers in terms of the issues as well as some of the reasons for the decisions. I believe the OEB has been doing some of that and has, in its business plan going forward, more consumer education, more consumer information, more tools to help folks understand.

**Mr. Jim Wilson:** You may not be able to answer this question, but some groups suggest that we lower the rates of return that the distribution companies are allowed to receive, in order to bring down prices. Do you have any thoughts on that?

**Ms. Rosemarie Leclair:** The rates of return is an issue that we did get questions on at Hydro Ottawa as well. When you look at the rates of return, one of the important things to remember is that it is the only source of revenue that the distribution company has to invest back into the infrastructure that's needed. As I talked about in my opening remarks, there is a lot of needed investment. Capital programs are not declining; they are increasing to meet the needs of the community as well as to replace the aging infrastructure.

**Rates of return:** There's a formula that's intended to keep those rates reasonable and in line with the market, to provide that source of capital for the industry. I believe it would be short-sighted to just, holus-bolus, reduce rates of return. I think you have to take a look at, is there

a reasonable formula, was it reasonably applied for and what's the use of the funds?

0920

**Mr. Jim Wilson:** Just a final question: Do you have some priorities in mind as you take on the job?

**Ms. Rosemarie Leclair:** Certainly, I think there are a number of challenges. I haven't had the opportunity to be briefed on all of the challenges. One of the things that I would see as one of my priorities is to engage with the various stakeholders to get a good sense of the issues, the competing priorities, the competing interests, so that we can continue to ensure that the decisions that are made at the OEB and the policy directions that are taken are ones that support the long-term viability of the sector and keep the consumers at the forefront.

**Mr. Jim Wilson:** Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Mr. Hampton.

**Mr. Howard Hampton:** I'm sorry I was not here for your initial presentation, but I don't think my questions will really relate to that.

My first question would be, how does your work as the head of Hydro Ottawa prepare you for an appointment to the Ontario Energy Board?

**Ms. Rosemarie Leclair:** Well, as the head of—and I think my career is broader than my six years with Hydro Ottawa; it's close to 30 years in the public sector. With Hydro Ottawa specifically, as I had indicated in my opening remarks, it has given me a good understanding of the challenges of the distribution and the generation sectors, as well as the customer-facing issues. The distribution company is the company that's closest to the customer, so we certainly are on the front lines when it comes to the customer-facing issues. It's also given me a very good grounding in terms of some of the major issues facing the sector today. I spoke about aging infrastructure, growth in demand, as well as an aging workforce, and the need to renew those.

So that's experience that I've gotten at Hydro Ottawa: the need to balance all of the stakeholder interests; the issues of good, sound public policy and the importance of good public policy. Developing that policy as well as working with the political arm is experience that I've gotten throughout my career in the public sector.

**Mr. Howard Hampton:** I think I heard you say earlier that, for example, electricity is no longer going to be—I think the word you used was the invisible service; that it's becoming an issue.

Certainly, one of the things we're aware of is that whether companies are generating, transmitting, distributing or marketing electricity, there are huge sums of money involved, huge profits involved. For consumers, this is not an insignificant issue. I think it's fair to say, across Ontario now, the escalation of the hydro bill has become a very significant issue for people, both financially and otherwise. It seems to me the Ontario Energy Board has a really important role in this, yet it's a role that potentially is riddled with conflict.



How do you see yourself dealing with some of the very difficult decisions that have to be made in the face of companies that will lobby very hard and spend all kinds of money to have their point of view accepted?

**Ms. Rosemarie Leclair:** I'm not sure, Mr. Hampton, if you're asking me about conflict from my current role at Hydro Ottawa versus my role at the OEB, but certainly, when I would embark in my new role with the OEB, my interest in the OEB will be in line with the mandate of the OEB and the legislative framework that's provided for. It will be about balancing the needs of the consumer, the needs of the Ontario electricity system, and the needs of ensuring a financially viable sector.

For the sector to be financially viable, there is a reasonable level of return that companies have to make to continue to invest in that; that's one interest. The affordability to the ratepayer is certainly another interest that we have to keep our eye on. The overall direction of public policy in terms of where do we want the energy policy to go is probably another issue that we'll have to keep our eye on.

It will be a balancing act. It will be looking at what the priorities are at any moment in time and how best to deal with those. As I said, I think my experience over the last 20 years has been doing exactly that: balancing those competing interests.

**Mr. Howard Hampton:** There was a recent decision by the OEB where it turned down a rate request by Ontario Power Generation. If one believes the media reports and the commentator reports, part of the reasoning was that there was a feeling that OPG pays a lot of its people too much money, that its nuclear facilities are very expensive to run and that basically, there was a feeling that OPG is not getting good value for the money that is paid in terms of customers. That rate request was significantly reduced from what went before the board.

Let me just ask you: How do you see yourself handling these things? OPG is a very powerful company. They have a huge battery of lawyers, consultants and so on. I've actually looked at some of their submissions; they go on forever. They're unbelievably complicated. How do you see yourself handling this kind of very powerful lobbying, very powerful presentation? OPG has been known to wine and dine; how do you see yourself handling this?

**Ms. Rosemarie Leclair:** I'm not going to comment on the OPG decision, of course, but I will comment on the adjudicative role of the OEB, which is designed to be an impartial, arm's-length arbitrator and has a staff resource to do research and bring expertise and fact-based decision-making. That will be—you will judge every case based on the facts before you in line with the mandate of the OEB, in line with the legislation and in line with the application.

The process is very much an open and transparent process. The public interveners get to present their information as well. All of those facts will get taken into consideration. The decisions that will be made will be

made based on the facts before us in the case presented, and in line with the decisions.

**Mr. Howard Hampton:** Just let me ask you this: Were you involved in Hydro Ottawa's decision to spend almost \$30,000 of ratepayer money on Ottawa Senators tickets for Hydro Ottawa costumers, contractors, property managers and employees during the 2010-11 hockey season?

**Ms. Rosemarie Leclair:** I was not directly involved in that decision. I can give you colour in terms of what those tickets were used for. I'm very supportive of activities that relate to employee engagement. Hydro Ottawa has a very positive relationship with its workforce, having come off a very bitter strike in 2004, and has a number of employee events. Those tickets, essentially, were part of our employee engagement, and employees paid, I believe, half or three quarters of the cost of those tickets—the balance of the tickets.

There was one other event that related to getting the business community in to talk to them about our CDM program and our conservation efforts. One of the ways of attracting attention is certainly to go to venues that people want to go to, and that was a customer outreach event.

Hydro Ottawa does not have Ottawa Sens boxes. It was one of the first things that I cancelled when I was appointed president and CEO. Any use of funds by the company is used with a view to meeting its objectives and mandates, which are outreach to our customers and ensuring that we have a viable workforce to deliver the product.

**Mr. Howard Hampton:** Do you think a professional hockey game is the best place to discuss billing issues and conservation programs?

0930

**Ms. Rosemarie Leclair:** There's a meeting room available. The presentations were done at the meeting room and the hockey game was after.

**Mr. Howard Hampton:** In September 2010, Hydro Ottawa sought a 2.5% increase in electricity rates just weeks before Hydro Ottawa paid for or subsidized tickets for 146 electrical contractors and property managers. Do you see how this might upset businesses and families who struggle to pay their hydro bills on a monthly basis?

**Ms. Rosemarie Leclair:** Hydro Ottawa has—and I'm not sure if I'm being interviewed here on Hydro Ottawa or as chair of the OEB. In terms of Hydro Ottawa, one of the things that we pride ourselves on is ensuring that we do keep our rates competitive and reasonable and in line with the rate of inflation. It's something that we have continued to do over the last five years.

One of the ways of ensuring that we don't have to invest in costly new infrastructure is to promote our conservation demand management programs. The event that you're talking about was an outreach to our key accounts to engage them in conservation programs.

Hydro Ottawa has been one of the most successful companies in the province of Ontario in rolling out conservation programs. We started in 2005, long before the



OPA programs were there, and we have exceeded our targets and our goals, largely by reaching out to our key account customers.

**Mr. Howard Hampton:** As chair of the Ontario Energy Board, would you be conducting meetings with clients at Toronto Maple Leaf games?

**Ms. Rosemarie Leclair:** I think there's very much a difference between the role of the chair of the OEB and the role of a CEO in a company that is tasked with delivering services. They are not the same position and they are not the same focus. The tools that I will be using will be appropriate tools for that role.

**Mr. Howard Hampton:** But one of the realities of this job, and I've spoken with former chairs of the board, is that whether they be natural gas companies or electricity companies, they're quite prepared to spend all kinds of money wining and dining members of the board and staff of the board. Golf tournaments, hockey tickets, football tickets, baseball tickets seem to be part of the milieu, part of the lifestyle, and—

**The Chair (Mr. Ernie Hardeman):** If you could just wrap up the question, the time is up, Mr. Hampton.

**Mr. Howard Hampton:** I think many people are really worried, really concerned that all kinds of money gets spent on these things and the ratepayers of Ontario, who are having a hard time paying their bills, end up paying for it.

**Ms. Rosemarie Leclair:** Mr. Hampton, I can assure you that you could look through my expenses as CEO of Hydro Ottawa and my personal expenses with respect to wining and dining will be very few and far between.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. That concludes the questions, and we thank you very much for coming in. We wish you well in your future endeavours.

**Ms. Rosemarie Leclair:** Thank you.

#### MS. PAT CAPPONI

Review of intended appointment, selected by third party: Pat Capponi, intended appointee as member, Consent and Capacity Board.

**The Chair (Mr. Ernie Hardeman):** Our next interview is Pat Capponi, intended appointee as a member of the Consent and Capacity Board.

Thank you very much for being here. As with the previous presentation, we will give you an opportunity to make some opening remarks and then we will give an opportunity to each caucus to ask you questions for 10 minutes. This time it will start with the government side again, as they were missed. Or should I go to them? It doesn't matter. We can start with the official opposition.

With that, the floor is yours.

**Ms. Pat Capponi:** Good morning.

**The Chair (Mr. Ernie Hardeman):** Good morning.

**Ms. Pat Capponi:** I have a brief opening statement.

I have been an active and engaged advocate in the mental health system since just before I brought then-Health Minister Larry Grossman into the psychiatric

boarding home I shared with 70 mental patients, as we were called then. That was about three decades ago.

Since then, I have sat at many tables, including the Supportive Housing Coalition; the advisory committee to the provincial patient advocate office; the mental health reform initiative, called the Graham committee; the advisory committee to the Mayor's Action Task Force on Discharged Psychiatric Patients; the short-lived Ontario Advocacy Commission; the Clarke Institute and the inaugural board of CAMH; and the Saving Lives Implementation Group, arising out of alternatives to the use of lethal force, co-chaired by Chief Bill Blair and Julian Falconer. I have testified as an expert witness in aftercare and housing at numerous inquests into the deaths of psychiatric patients.

At every table at which our community has won a seat, we were able to influence decisions made about our community, offer alternative and missing perspectives, and clearly show that there is much more to us than the often obscuring labels that we carry. Our community had a steep learning curve, but so did those who felt that chronic patients were incapable of insight and manifestly unable to live productive lives. Since Larry sat down with my fellow tenants and took responsibility for the mess we were in, we have proven over and over again that, given the opportunity, we respond with pride, ability and courage. We have won respect and admiration for our efforts and are able to speak for ourselves to ministers, policy-makers and the general public.

Perhaps the most interesting development and the clearest example of how very far we've come has been RACI, the Residents and Consumers Initiative. Voices from the Street, which is my organization, was approached by two first-year residents in psychiatry at the University of Toronto. We've been meeting since then for close to five years in each others' homes, always adding first-, second-, third-, fourth- and fifth-year students to our body. There, we supplement the education they receive from their curriculum. We build bridges never before seen between the two islets. Over dinner, we discuss issues and their training, and we share our insights. Our co-founders are on the verge of becoming full-fledged psychiatrists, and it bodes well for the system and for us. RACI presented to the chairs' forum of the Canadian Psychiatric Association last year. It was a momentous occasion for everyone involved.

Lastly, I now co-chair the police board's mental health subcommittee with Alok Mukherjee.

These gains should be celebrated and added to, which is why I'm before you today.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We'll start with the official opposition. Mr. Wilson.

**Mr. Jim Wilson:** Thanks for putting your name forward.

My interest in this thing is always personal. I had a first cousin, Michelle Keele, who was murdered in 1974. That fellow got out of Penetang on a weekend pass, murdered her, and didn't show up for a few days. He's on



an old Lieutenant Governor's warrant, so once a year it's up for renewal. Over the years, my experience as Minister of Health was that we have pockets of consumer advocates on the board who often want to let these guys out because they have great sympathy for those so-called mentally ill. This guy is mentally ill. If it wasn't for my uncle Mike Keele, her father, and a retired police officer who made the original arrest, who shows up every year out of the goodness of his heart, to keep reminding the panel that this guy is sick and he'll do it again—in fact, on at least a dozen occasions in the last 30 years, this guy has told the panel, "Yes, I'll do it again. Don't let me out," and then they let him out. The last time he was let out, he buggered a little boy in a mall in London, Ontario.

Nothing personal; you're a great advocate—and congratulations on the Order of Ontario and the awards you've received, and thank you for that—but I just want to make sure that we have people on the board who have the right balance in terms of protecting society and the rights of the individuals. Do you want to comment on that?

**Ms. Pat Capponi:** Certainly. It's an unfortunate example. As you know, our community is more sinned against than sinning.

I firmly believe that if you do the crime, you do the time. I think we've been trying to teach our community about responsibility: that if we're going to be full citizens, we have to live within the law and handle our own behaviour. Unfortunately, we have a system that has kind of infantilized the patients within it, and people keep acting that way.

0940

But we are learning. As a community we are really learning, with peers going in and reinforcing that your freedom does not extend to hurting anybody or yelling at anybody. I'm probably sterner than most around these kinds of things.

On the Consent and Capacity Board, my understanding—and I have not yet been trained, of course—is that it's a quasi-judicial body, but it's also a very narrow mandate to ensure that the policies and documents have all been filled out properly and appropriately. It's not a place where there's a lot of discretion or complaints, or anything like that.

**Mr. Jim Wilson:** Thank you for that answer. Have you been involved in any matters before the board, on one side or another, in the past?

**Ms. Pat Capponi:** When your government was in power, I was here as a nominee to the Ontario Advocacy Commission. That was a long, long time ago.

**Mr. Jim Wilson:** Thank you very much. Thank you, Mr. Chairman.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Mr. Hampton for the New Democrats.

**Mr. Howard Hampton:** Thanks for being here today. You have some experience in this area, being on the advocacy commission in the past. What do you see as the main challenges you will face as a member of the Consent and Capacity Board?

**Ms. Pat Capponi:** Well, I think the hardest was the interview. I had met Judge Ted Ormston when he was doing the mental health court. I did some articles for NOW magazine about that court, so I hung out there for a while. He's on the same police subcommittee that I am on, so we reconnected there. He brought me to lunch and it was like a two-hour quiz, so I couldn't figure out what he was getting at. Then he suggested that I should apply.

I studied for three weeks, and his vice-chair and a lawyer asked me questions there. That was incredibly difficult. It's not easy. It made me feel like when I was in first year of university and I took a third-year ethics course, where things like good and bad—nothing was what it seemed. It's going to be a mind-boggling experience, but I am up for it.

**Mr. Howard Hampton:** What experiences do you have that will help you do the work that you will have to do on the board?

**Ms. Pat Capponi:** I think, having lived and worked and actually been immersed in issues facing psychiatric consumer/survivors, that I'm really aware. What Ted Ormston told me at our lunch was that he would see me being a voice from the street in terms of adding to the training they offer, but as well, being able to communicate with folks in my own community about their responsibilities and to help get out there the consequences of behaving badly. I find that useful.

Another thing: When I became the co-chair of the police subcommittee, I had a Facebook page and I did not expect the kinds of salutes I got from across the province. It seemed to be very meaningful, and I think this would be hugely meaningful. Not many people trust the process, and if they can see someone that they know sitting there, I think it will make people hopeful. It will restore, maybe, some trust that things can be done right. That's what I'm looking at.

**Mr. Howard Hampton:** Thanks very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. Members of the government? Ms. Cansfield.

**Mrs. Donna H. Cansfield:** Thank you very much for coming forward, putting your name forward and for presenting today. You've been a very strong advocate over the years, drawing on your own personal experiences. My question to you, although some of that has been addressed I think through Mr. Hampton, is more to the point of how you see that impacting and influencing your decisions—because you've been such a strong advocate when you've been on the capacity board—and how you're going to balance that perspective.

**Ms. Pat Capponi:** They did ask me that question during the application process. Again, I think it's because of the very narrow focus. There's not a lot of room for personal discretion. Our job, as I understand it—and again, no training, but it's outlined that the job is not a complaints thing, not an investigative body; it's to ensure that all the papers and procedures have been followed. That's pretty clear cut. Does that mean I won't be an advocate? I will be an advocate because that's my life,

but that would be outside of this body. There's a place for everything, and that's not the place to be an advocate.

**Mrs. Donna H. Cansfield:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Anything further?

**Mrs. Maria Van Bommel:** Just a comment as a member of the Select Committee on Mental Health and Addictions. I really want to thank you for the work that you've done, and I'm certainly really pleased that you have been nominated to this, because I think it's very important, as you say, to have that representation on this board. So thank you.

**Ms. Pat Capponi:** It would be a big first for our community, yes.

**Mrs. Maria Van Bommel:** It certainly would. Thank you.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for coming in this morning, that concludes the questions, and we want to wish you well in all your future endeavours.

That concludes the interviews for this morning, so if we go back to the first interview, Rosemarie Leclair, as a member and chair of the Ontario Energy Board. We have to deal with concurrence.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Rosemarie Leclair as a member of the board and president and chief executive officer of the Ontario Energy Board.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Discussion? If not, all those in favour?

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Brown, Cansfield, Carroll, Pendergast, Van Bommel, Wilson.

#### Nays

Hampton.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

The next to be considered is intended appointee Pat Capponi as a member of the Consent and Capacity Board. The motion for concurrence?

**Mr. Michael A. Brown:** I move concurrence in the appointment of Pat Capponi to the Consent and Capacity Board.

**The Chair (Mr. Michael A. Brown):** You've heard the motion. Discussion? Hearing none—

**Mr. Michael A. Brown:** Recorded vote.

#### Ayes

Brown, Cansfield, Carroll, Hampton, Pendergast, Van Bommel, Wilson.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

That concludes the concurrences. It also concludes our meeting. Is there any further business for the meeting?

**Mr. Jim Wilson:** The letter that we received a copy of, are we to do anything about that?

**The Chair (Mr. Ernie Hardeman):** Which letter was that?

**Mr. Jim Wilson:** I don't really want to get into the topic, but I was just wondering.

**The Chair (Mr. Ernie Hardeman):** We'll ask the clerk to speak to it.

**The Clerk of the Committee (Mr. Katch Koch):** The sender asked me to distribute the letter to committee members. I have spoken to the sender. I also brought to the sender's attention that the committee is really not able to deal with this because it's past the 30 days. This is an appointment that dates back to the beginning of the year, and the sender of the letter had an issue with that appointment, but it's well past the 30-day deadline.

**Mr. Jim Wilson:** Okay. Thanks.

**The Chair (Mr. Ernie Hardeman):** Anything else? If not, the next meeting is at 9 a.m. on Tuesday, April 12, in committee room 1. The committee stands adjourned.

*The committee adjourned at 0949.*









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### STANDING COMMITTEE ON GOVERNMENT AGENCIES

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**Legislative Assembly  
of Ontario**

Second Session, 39<sup>th</sup> Parliament

**Assemblée législative  
de l'Ontario**

Deuxième session, 39<sup>e</sup> législature

**Official Report  
of Debates  
(Hansard)**

Tuesday 12 April 2011



**Journal  
des débats  
(Hansard)**

Mardi 12 avril 2011

**Standing Committee on  
Government Agencies**

Intended appointments

**Comité permanent des  
organismes gouvernementaux**

Nominations prévues

Chair: Ernie Hardeman  
Clerk: Katch Koch

Président : Ernie Hardeman  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GOVERNMENT AGENCIESCOMITÉ PERMANENT DES  
ORGANISMES GOUVERNEMENTAUX

Tuesday 12 April 2011

Mardi 12 avril 2011

*The committee met at 0905 in committee room 1.*

## INTENDED APPOINTMENTS

**The Chair (Mr. Ernie Hardeman):** We'll call the meeting of the Standing Committee on Government Agencies for April 12 to order. I thank the committee for being here. We only have one item of business this morning, which is interviewing an intended appointee.

## MS. SUSAN LEE

Review of intended appointment, selected by third party: Susan Lee, intended appointee as member, Criminal Injuries Compensation Board.

**The Chair (Mr. Ernie Hardeman):** We have Ms. Susan Lee. She is being recommended as a member of the Criminal Injuries Compensation Board. We'll ask Ms. Lee if she would come forward and take a seat at the end of the table. While she's coming up, we just point out that as we start the interview, we'll provide you with an opportunity to, if you wish, make a statement. Upon conclusion of that statement that you make, we will then have 10 minutes per party to ask you questions. With that questioning, we will start again as we did last time, with the third party. We'll open the floor and ask you to make your presentation. Thank you very much for being here.

**Ms. Susan Lee:** Good morning, everyone. Thank you for inviting me here today. I'm pleased to have been asked to appear before this committee to have the opportunity to impress upon you my long-standing commitment to providing assistance to victims of crime, and further, to persuade you of my suitability for an appointment as an adjudicator on the Criminal Injuries Compensation Board.

As you probably know, I have worked as a public servant for over 30 years and I have enjoyed much success serving the public good, initially for the federal ministry of the Solicitor General and latterly for the people of Ontario.

The most widely recognized contribution I have made has been improving the lot of victims of violence in the criminal justice process. I believe I bring a unique and valuable perspective to the work of the Criminal Injuries Compensation Board in that I'm a criminologist. I possess a master's degree in criminology; I do not have a law degree. I raise this as I believe it is important in

understanding my strength in relation to the appointment. As I have not been required to function as either a criminal defence lawyer or a crown attorney, I do not have a stake in either of these roles. My focus has been in shaping government and community responses to the needs of victims of violence. This was done within the confines of the criminal process without infringing on the rights afforded to the accused person.

Achieving an acceptable and accepted structure for the respectful treatment of victims without interfering with the fundamental principles of the criminal law was a formidable task but one that had to be thoroughly addressed. I bring sound theoretical knowledge of the problems victims, face and I have worked with and on behalf of victims. I've met with considerable success in this regard and have been officially recognized by the government of Ontario, community groups and the Ministry of the Attorney General.

In addition, I've had broad experience in a variety of other complementary roles within the criminal and civil justice systems. Beyond creating new services for victims of violence, my experience in policy and program development as well as operations has allowed me to have extensive contact with the issues facing police organizations, the judiciary of all three levels of court in Ontario, counsel and community interest groups as well as the members of the public, among others.

I clearly understand the practical realities of managing large administrative structures with limited and sometimes diminishing financial resources. I also appreciate the complexities of operating within statutory requirements.

## 0910

All of this I believe is relevant and valuable to functioning in the role of an adjudicator. I'm committed to the value of respecting individual interests, carefully weighing information, employing an even-handed and dispassionate approach, as I have learned that applying these qualities will always yield the best possible result.

I work well in collaboration with others. I know how to work hard under pressure and with great accuracy. I have an unusual set of skills which will allow me to make a significant contribution to this important administrative tribunal. Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. As I said, we will start with the third party, and they've, at this point at least, decided



they don't want any of their time, so we'll go to the government side.

**Mr. Michael A. Brown:** I appreciate your putting your name forward for this important tribunal.

I guess the question I might want to ask is: Do you have real experience in the tribunal kind of setting? There are obviously pretty strict rules, and it looks from your resumé that you know about all of these things. Could you just expand on your experience in that sort of a setting?

**Ms. Susan Lee:** As a formal member of a tribunal, no, I have not had any experience. I have had experience with the Criminal Injuries Compensation Board on behalf of the victims that I've worked with in the past, both with individual victims of violence and also from an administrative perspective, in that, in assisting victims throughout the years, we very often worked with the criminal injuries system.

**Mr. Michael A. Brown:** Thank you, Mr. Chair.

**Ms. Susan Lee:** Can I just add something?

**Hon. Aileen Carroll, P.C.:** Sure.

**Ms. Susan Lee:** As an adjudicator, I've had more experience in a less formal role, in that I've managed many, many employees over the years and had to deal with problems that have arisen in the workplace and made decisions about people's futures in terms of moving them other places, dismissing them, that sort of thing. So in a less formal structure, I have had some adjudicative experience.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. The official opposition: Ms. MacLeod.

**Ms. Lisa MacLeod:** Thanks very much, Ms. Lee. Great presentation; outstanding qualifications for this position. I want to thank you for coming before us.

I just quickly have one comment, and I'd be remiss if I didn't point it out: Our party, the Ontario PC caucus, has made three recommendations to the Criminal Injuries Compensation Board, and we think that we should be releasing the victims' justice fund surplus to victims of hard-working law enforcement agencies, ensuring that the definition the Criminal Injuries Compensation Board uses to determine compensation reflects the needs of victims and ensuring that significant representation on CICB is for victims.

I could ask for your comments, but I just wanted to say that the official opposition supports your candidacy and wishes you the best of luck in the days ahead.

**Ms. Susan Lee:** Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Thank you very much. If those are all the questions—the third party is not here yet—we thank you—

*Interjections.*

**The Chair (Mr. Ernie Hardeman):** I mentioned, as I came in, that this would not be painful. Obviously surgery has gotten to be simpler and simpler as we go along in our society. So we thank you very much for taking the time to come and meet with us this morning.

**Ms. Susan Lee:** My pleasure. Thank you. That wasn't painful.

**The Chair (Mr. Ernie Hardeman):** We do wish you every success in your future endeavours. Thank you very much for coming in.

**Ms. Susan Lee:** Thank you.

**The Chair (Mr. Ernie Hardeman):** That concludes our interview this morning, so we would accept a motion to deal with the interview, and we have a motion from Mr. Brown.

**Mr. Michael A. Brown:** I move concurrence in the appointment of Susan Lee as a member of the Criminal Injuries Compensation Board.

**The Chair (Mr. Ernie Hardeman):** The committee has heard the motion. Discussion?

**Mr. Michael A. Brown:** Recorded vote.

**Ayes**

Albanese, Brown, Carroll, Flynn, Johnson, MacLeod.

**The Chair (Mr. Ernie Hardeman):** The motion is carried.

Thank you all very much. That concludes the whole process. Never let it be said that government can't be efficient. Thank you very much for coming in.

There being no further business, unless there is from a member of the committee, we stand adjourned.

*The committee adjourned at 0915.*











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## Legislative Assembly of Ontario

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Deuxième session, 39<sup>e</sup> législature

# Official Report of Debates (Hansard)

Tuesday 10 May 2011

# Journal des débats (Hansard)

Mardi 10 mai 2011

## Standing Committee on Government Agencies

Intended appointments

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Tuesday 10 May 2011

Mardi 10 mai 2011

*The committee met at 0902 in committee room 1.*

## SUBCOMMITTEE REPORTS

**The Chair (Mr. Ernie Hardeman):** I call the committee to order, and we welcome everyone here this morning for the May 10 Standing Committee on Government Agencies meeting. First of all, I thank committee members for being here.

We do have two items of business before we start with the interviews. The first is the subcommittee report of Thursday, April 14. Do we have a motion to accept the subcommittee report of Thursday, April 14?

**Mr. Bruce Crozier:** So moved.

**The Chair (Mr. Ernie Hardeman):** You've heard the motion. Any discussion? If not, all those in favour? Opposed? The motion is carried.

We also have a subcommittee report of Thursday, April 21, 2011. Do we have a motion to deal with the subcommittee report of April 21, 2011?

**Mr. Bruce Crozier:** So moved.

**The Chair (Mr. Ernie Hardeman):** We have moved acceptance of the report. Any discussion on the report? If not, all those in favour? Opposed? The motion is carried.

## INTENDED APPOINTMENTS

## MS. LYNDA TANAKA

Review of intended appointment, selected by official opposition party: Lynda Tanaka, intended appointee as executive chair, Environment and Land Tribunals Ontario, and member, Assessment Review Board, Board of Negotiation, Conservation Review Board, Environmental Review Tribunal, Ontario Municipal Board.

**The Chair (Mr. Ernie Hardeman):** We'll then move on to the interview portion. We have Ms. Lynda Tanaka. She is being recommended as executive chair of Environment and Land Tribunals Ontario, and as a member of the Assessment Review Board, the Board of Negotiation, the Conservation Review Board, the Environmental Review Tribunal and the Ontario Municipal Board.

Thank you very much for coming forward. We have half an hour for the interview this morning, and we'll start off by providing you with a few moments to make your presentation. Members of the committee, in caucuses, will each have 10 minutes to ask questions of yourself and the presentation that you make. We will

start the questions with the government side this morning.

With that, thank you very much for being here, and the floor is yours to make your presentation.

**Ms. Lynda Tanaka:** Thank you, Mr. Chair. I thank you for this opportunity to set out for you my background and qualifications for the position of executive chair of the Environment and Land Tribunals Ontario.

I practised law for 30 years, predominantly in the municipal, public infrastructure, and administrative law fields, appearing before the Ontario Municipal Board, the Board of Negotiation, the predecessors to the ERT and joint boards under the Consolidated Hearings Act, as well as the courts. I frequently had cases involving the Niagara Escarpment Planning and Development Act and environmental assessment and impact were frequently factors in my cases.

As my career progressed, I was invited to speak at training sessions for the Ontario Municipal Board, for the Assessment Review Board, as well as at conferences for the Ontario Bar Association, the Law Society and other organizations, including the expropriation associations of British Columbia, Alberta and in Ontario.

In 2003, I was appointed part-time chair of the Ontario Racing Commission by Premier Eves. Minister Hudak was the minister responsible for the commission at that time. I became engaged in the development of modern governance tools in the context of agencies, boards and commissions. In 2005, I left the practice of law and expanded, through self study and coursework, my knowledge of modern developments in alternative dispute resolution, strategic planning and governance.

In 2007, with the ill health of my predecessor, the late Carl Dombek, I was appointed acting chair of the Licence Appeal Tribunal. This is an adjudicative tribunal that hears consumer claims and appeals from business regulation. I began a process of progressive change of that tribunal to modernize it, and I'll give you two examples: better information in plain language for self-represented litigants—probably 90% of our cases are self-represented litigants; revisions to the rules of practice to support a more robust pre-hearing process that would enhance the opportunities to settle, and if not settlement then narrow the issues so you have shorter hearings, lower cost for everyone.

The revisions to the LAT pre-hearing process are based on the models of the Board of Negotiation, medi-



ation and the Ontario Municipal Board pre-hearing. They're two very different processes, but I thought there were characteristics in both of them that I could pull out and put together to make a more robust process for LAT.

The plain language initiative was born of a contrast I saw between the Ontario Municipal Board website and its materials available to citizens, and what was available at LAT.

I've served as a chair of an adjudicative tribunal now for four years. I developed a vision of what LAT could be and I've worked to implement it. I value the sharing of experiences and information with others in the tribunal community. I sit on the board of directors of the Society of Ontario Adjudicators and Regulators. If you don't know about SOAR, it's an organization that provides educational events to members of the tribunal community so that we can share ideas and we can learn from each other. I've sat on the organizing committee of COBA, which is the Conference of Ontario Boards and Agencies, an annual one-day event which brings together people from all over Ontario. There were over 300 attendees from the tribunal community. We bring in speakers and we learn from each other and from them. We're building skills and we're building knowledge.

With reference to ELTO's potential as a cluster of five tribunals, I recognize the considerable body of work done by my predecessor. Just as I, in another tribunal, was able to draw on the elements of two of the cluster tribunals' processes, put them together and create something better for the specific situation of my tribunal, I believe there's potential for enhancing the access to justice in the cluster tribunals.

The job position ad for the ELTO Executive Chair called for someone to direct and improve service delivery amongst the clustered tribunals. With the support of the executive chairs, the appointees, the administration, the ministry and the stakeholders, I believe I can achieve improvements at ELTO.

**The Chair (Mr. Ernie Hardeman):** Thank you very much for your presentation. We'll now start with the questions. The government side, Mr. Crozier.

**Mr. Bruce Crozier:** Thank you, Ms. Tanaka, for your appearance here this morning and for your apparent continued desire to serve the province of Ontario. Frankly, I'm a bit humbled to even be put in the position where I need ask you any questions. I've been on government agencies over the 17 years I've been here, probably one of the longest committees that I've served on, although not recently. One of the main objectives of the government agencies committee's review of appointees is to see that we get qualified people. Quite frankly, you're one of the most qualified that I've seen put forward for any position over those 17 years. I simply want to thank you for continuing your desire for public service.

0910

**Ms. Lynda Tanaka:** Thank you, sir.

**The Chair (Mr. Ernie Hardeman):** Anything further from the government side? If not, Mr. Wilson?

**Mr. Jim Wilson:** I'd like to echo what Mr. Crozier has said. You are very well qualified, and I noticed it was a Conservative government that originally recognized your talents.

*Interjection.*

**Mr. Jim Wilson:** Although, where's Ernie today?

**Ms. Lynda Tanaka:** Actually, it was Premier Rae who first appointed me to the vice-chair of the racing commission. So I'll just correct that because I didn't refer to that period. It was 1995, and Premier Rae appointed me. I always hoped it was entirely on merit.

**Mr. Jim Wilson:** Well, where's he today? You've got us all over—

**The Chair (Mr. Ernie Hardeman):** Do you have any further questions, Mr. Wilson?

**Mr. Jim Wilson:** I'm just warming up. This is a one-woman act over here.

You didn't have any political affiliations during that time, eh?

**Ms. Lynda Tanaka:** No, no.

**Mr. Jim Wilson:** All right. Well, that's just for the record there.

What's your impression of how things are going at ELTO, given that it's fairly new?

**Ms. Lynda Tanaka:** Well, my impression, coming from a very small tribunal—there are only 10 employees at LAT; it's very small—is that you can see some advantages for the clustering of smaller tribunals with larger ones in the website. The Board of Negotiation and the Conservation Review Board are very small tribunals, and they have a terrific website. LAT is going to have a better website by the time we get through this spring, but I know from being a small tribunal how difficult it is. So I think you can already see that. That's the visible part.

On the invisible part, as someone who has been head of an organization, I have an administration that is responsible for personnel and making sure we have good people. As a young person—and I try to maintain a perspective as a young person—a larger organization offers you opportunities for advancement and collegiality, people to learn from and connect with. So I think that on the human resources side, for our OPSers there are advantages in having a small tribunal with its specialization that it must protect, but in terms of attracting good people to work in your organization, I think it's an advantage. You won't see that, but it'll make life a lot easier everywhere if you can attract good people to the positions in your organization.

**Mr. Jim Wilson:** From the public's point of view, do you think they appreciate—I mean, it's all these different boards that have come together to form the cluster. Do you know of any negative comments out there or negative experiences? I'm just curious as a legislator.

**Ms. Lynda Tanaka:** Well, I think that people who are engaged as stakeholders or representatives, the legal community or planning community have to advise people. I sense from some of the things that I've been told that they're still waiting to see delivery on what they thought was real potential. Whenever you bring things

together, there's always the risk that you will lose some of the advantages of the smallness. What I've heard is that people are still waiting. They haven't made judgments that I've heard, but I've been pretty busy at LAT, so I haven't really gotten into it. I can see advantages to the clustering. As I said, I value the sharing of ideas. I understand the siloing of the tribunals and how important it is to bring them together as much as you can, but I haven't engaged in the stakeholder conversation at all. I didn't think it was my place, and as I said, I've been a little busy at LAT.

**Mr. Jim Wilson:** Okay. Well, good luck. Thank you very much.

**The Chair (Mr. Ernie Hardeman):** Mr. Hampton?

**Mr. Howard Hampton:** I don't have any questions. I congratulate you on your courage for wanting to take on all of this and hope that it all works well.

**Ms. Lynda Tanaka:** Thank you.

**The Chair (Mr. Ernie Hardeman):** We do have one further question from the government side.

**Hon. Aileen Carroll, P.C.:** I don't have any questions, Chair, but only to echo the comments that have been heard around the table. Ms. Tanaka, it is a great pleasure to have people such as yourself be involved in public policy at whatever level and in whatever capacity. It's wonderful to see your willingness to do so or to continue doing so.

Just one item when you were talking about the clustering of some of our tribunals: Having had a different position here with the Ontario government, I encountered the difficulties of the Conservation Review Board and its capacity to apply their lens to the OMB decisions. I think we do need to learn to knit our tribunals better, so I'm

glad to hear you comment on being cognizant of the issue. While it may be more problematic in those two tribunals, that is to say with the OMB and the conservation review—more so, perhaps, than the environmental—it still is an area where I think we need to see more reflection of whole of government in our tribunals, in the work that they undertake and the decisions they render.

Anyway, congratulations.

**Ms. Lynda Tanaka:** Thank you. Well, I'll keep an eye on that important issue. I was aware that that's an issue, but I will—it's now reaffirmed in my mind.

**Hon. Aileen Carroll, P.C.:** Yes, that's good. Thank you.

**The Chair (Mr. Ernie Hardeman):** Very good. We thank you very much for coming forward, putting your name forward to carry on serving the people of Ontario. We do wish you well in your future endeavours. We will be dealing with this appointment as we speak, so we do wish you well. Thank you for coming in and taking the time.

**Ms. Lynda Tanaka:** Thank you, Mr. Chair.

**The Chair (Mr. Ernie Hardeman):** That concludes our interviews this morning. We will now deal with the concurrences for the interviews. Do we have a motion to deal with the concurrence?

**Mr. Bruce Crozier:** I would move concurrence.

**The Chair (Mr. Ernie Hardeman):** We have a motion to concur. You've heard the motion. Any discussion? Hearing none, all those in favour? Opposed? Motion's carried.

That concludes the business of this morning's meeting. Again, we thank you very much for coming in, and we adjourn the meeting.

*The committee adjourned at 0917.*









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